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*The Division Superintendent has issued an administrative regulation under this policy.*
SECTION A
## SECTION A: FOUNDATIONS AND BASIC COMMITMENTS (Chapter 1)

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SCHOOL DIVISION LEGAL STATUS

The Constitution of the Commonwealth provides that the General Assembly establish a system of free public elementary and secondary schools for all children of school age throughout the state, and seek to ensure that an educational program of high quality is established and continually maintained. The General Assembly has required that such an educational system be maintained and administered by the State Board of Education, the Superintendent of Public Instruction, division superintendents and school boards. The supervision of schools in each school division shall be vested in a school board selected in accordance with the applicable provisions of the Code of Virginia.

The school board is a corporate body whose official title shall be "The County School Board of York County, Virginia".

ADOPTED: January 28, 2013

LEGAL REFERENCE: Constitution of Virginia, article VIII, sections 1, 7.

© 5/12 VSBA
NONDISCRIMINATION

The County School Board of York County, Virginia is committed to a policy of nondiscrimination with regard to race, color, sex, age, religion, disability, national origin, or status as a parent. This attitude will prevail in all of its policies concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

ADOPTED: Date of Policy Manual Adoption

REVISED: January 28, 2013


LEGAL REFERENCE:
20 U.S.C. sections 1400 et seq., 1681 et seq.
42 U.S.C. sections 2000 et seq., 12101 et seq.
45 CFR Parts 81, 86.
Executive Order 11246, as amended by Executive Orders 11375, 11478, and 12086.
Constitution of Virginia, article I, section 11.
SCHOOL DIVISION MISSION, BELIEFS, AND GOALS

MISSION STATEMENT

The mission of the York County School Division is to engage all students in learning the skills and knowledge needed to make productive contributions in the world.

ADOPTED: August 27, 1990
REVISED: June 21, 1999; June 29, 2004; March 22, 2010; January 28, 2013

BELIEF STATEMENTS

- Student achievement and continuous student growth are the core priorities of our school division.
- Excellence is characterized by a caring, involved and dedicated school community that exceeds expectations and strives to make our schools even better.
- Student achievement is excelling academically to one’s highest potential.
- Achievement is more than performance on standardized tests.
- Educational experiences should be designed to engage students in making contributions as productive citizens.
- Division employees must be committed to motivating all students to achieve positive learning outcomes.
- Family and community involvement are essential to our mission.
- Recruiting and retaining a highly qualified and diverse staff are paramount to the success of our students.
- Students should use technology to improve and maximize the impact of their work.
- Data should be used to inform and adjust instruction and decision making.
- Student wellness supports student success.
- Students learn best in safe and secure environments.

ADOPTED: September 24, 1990
REVISED: June 21, 1999; June 29, 2004; March 22, 2010; January 28, 2013

GOALS

- York County students will consistently demonstrate growth and excellence in the skills and knowledge needed to be productive citizens.
- The York County School Division will engage all students in rigorous educational experiences.
- The York County School Division will recruit, hire, retain and support a diverse staff that meets our highest standards.
The York County School Division will foster effective partnerships with families and our community and promote positive relationships between and among staff, students, and families.

The York County School Division will maintain efficient, effective, service-oriented operations that support student achievement in safe, secure environments.

ADOPTED: August 27, 1990
REVISED: June 21, 1999; June 29, 2004; March 22, 2010; January 28, 2013
EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

The School Board will review its performance annually to ensure its proper discharge of responsibilities to the community. Evaluation will be based on a positive approach, which will indicate the strengths of the School Board and the areas that need improvement.

To help the School Board meet this goal, the following elements will be included in the self-evaluation process:

1. School Board members will be involved in the development of an evaluation instrument and procedure.

2. The School Board evaluation instrument will be completed by individual board members on a confidential basis, and submitted to the School Board Chairman, or his or her designee, for compilation.

3. The School Board will meet, with all members present, to review and discuss the composite results.

4. Each conclusion will be supported by objective evidence.

Upon final discussion of the results, the School Board may develop both short and long-range goals and objectives to ensure continued proficiency in its areas of excellence, to strengthen weak areas, and to improve the efficiency of the Board.

The School Board may enlist the assistance of an outside facilitator to conduct professional development for the School Board and Superintendent relative to the self-evaluation process.

ADOPTED: January 28, 2013

LEGAL REFERENCE: Code of Virginia, 1950, as amended, section 22.1-78
SECTION B
SECTION B - SCHOOL BOARD GOVERNANCE AND OPERATIONS

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BG/GBD Board-Staff Communications
BHB School Board Member In-Service Activities
BHD School Board Member Compensation and Benefits
BHE School Board Member Liability Insurance
SCHOOL BOARD LEGAL STATUS

The County School Board of York County, Virginia, derives its authority from the Constitution of Virginia, the Code of Virginia, and the regulations of the State Board of Education.

The School Board members of the County School Board of York County Virginia, are officers of the Commonwealth.

The County School Board of York County, Virginia, governs the school division.

The School Board is a corporate body whose official title shall be the County School Board of York County, Virginia.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014

LEGAL REFERENCE: Constitution of Virginia, article VIII, §7

Cross References: AA School Division Legal Status
BBAA Board Member Authority

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SCHOOL BOARD POWERS AND DUTIES

The School Board shall:

1. Adopt policy to provide for the day-to-day supervision of schools;
2. Enforcement of school laws—to see that the schools laws are properly explained, enforced, and observed;
3. Monitoring of the conduct of the schools—to secure, by visitation or otherwise, as full information as possible about the conduct of the schools to ensure that they are conducted according to law and with the utmost efficiency;
4. Management of school property—to care for, manage, and control the property of the School Division and provide for the erecting, furnishing, and equipping, and non-instructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
5. Consolidation of schools—to provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
6. Operation of schools—In so far as not inconsistent with state statutes and regulations of the State Board of Education, operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools; and
7. Other duties—to perform other such duties as will be prescribed by the State Board of Education or as are imposed by law.
8. Obtain public comment through a public hearing not less than ten days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools; (ii) the transfer from the public school system of the administration of all instructional services for any public school classroom or all non-instructional services in the school division pursuant to a contract with any private entity or organization; or (iii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken. If a public hearing has been held prior to the effective date of this provision on a proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the effective date of this provision, an additional public hearing shall not be required.
9. Survey, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and report such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or request the division superintendent to conduct such survey and submit such report to the school board, the Superintendent of Public Instruction, and the Virginia Retirement System.
10. Ensure that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to § 9.1-914.

ADOPTED:               June 20, 1988
REVISED:                March 24, 1997; December 21, 2011
RESTATEMENT:           March 20, 2000; March 22, 2005; November 17, 2014
LEGAL REFERENCE:       Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79
BOARD MEMBER AUTHORITY

The School Board is a body corporate, and in its corporate capacity is vested with all the powers and charged with all the duties, obligations, and responsibilities imposed upon School Boards by law and may sue, be sued, contract, be contracted with, and purchase, take, hold, lease and convey school property, both real and personal. School Board members shall have no authority or duties except such as may be assigned to them by the School Board as a whole.

ADOPTED: August 26, 1991
RESTATEMENT: March 24, 1997; March 20, 2000; March 22, 2005; November 17, 2014
REVISED: December 21, 2011

REFERENCE: Code of Virginia1950, as amended, § 22.1-71

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QUALIFICATIONS OF SCHOOL BOARD MEMBERS

At the time of appointment or election to office, each member of the School Board must be a qualified voter and bona fide resident of the school division and district which they represent and meet any other criteria set forth in state law. If a board member shall cease to be a resident of the school division or that district which the board member represents the position on the School Board shall be deemed vacant.

No employee of the School Board shall be eligible to serve on the Board by whom he/she is employed.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014


CROSS REF.: BBE Unexpired Term Fulfillment
BOARD MEMBER OATH OF OFFICE

All new school board members shall qualify by taking the oath prescribed for officers of the Commonwealth on or before the day of the initial meeting of the new school board. Failure to take the oath of office within the time allowed by law renders the office vacant.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014


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MEMBERSHIP OF THE SCHOOL BOARD

The County School Board is comprised of five individuals, one elected from each election district in the County.

   A. A member’s term of office begins on January 1 following the election and as otherwise specified by law when a vacancy is filled between regular elections. In the event a new member does not qualify by January 1, or a different date as specified for filling vacancies between regular elections, the incumbent member shall, by operation of law, remain a member of the School Board until the new member qualifies for office.

ADOPTED:                 August 26, 1991
RESTATEMENT:        March 20, 2000; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-29; -31; -44
BOARD MEMBER REMOVAL FROM OFFICE

Any School Board member may be removed from office in accordance with the provisions of sections 24.2-230 through 24.2-238 of the Code of Virginia.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014

UNEXPIRED TERM FULFILLMENT

Vacancies occurring in the membership of the School Board shall be filled as provided by law.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014


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SCHOOL BOARD MEMBERS CONFLICT OF INTEREST

A. Purpose

The York County School Board seeks, through the adoption of this policy, to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests, as defined by the General Assembly in the State and Local Government Conflict of Interests Act.

B. Areas of Regulation

The State and Local Government Conflict of Interests Act establishes five principal areas of regulation applicable to board members, officers, and employees of the York County School Division. They are:

1. Special anti-nepotism rules relating to School Board members and superintendents of schools.

2. General rules governing public conduct by School Board members regarding acceptance of gifts and favors.

3. Prohibited conduct regarding contracts.

4. Required conduct regarding transactions.

5. Disclosure required from certain School Board members

C. Definitions

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

“Affiliated business entity relationship” means a relationship, other than a parent-subsidiary relationship, that exists when

(i) one business entity has a controlling ownership interest in the other business entity,

(ii) a controlling owner in one entity is also a controlling owner in the other entity, or

(iii) there is shared management or control between the business entities.

Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means any individual or entity carrying on a business or profession, whether or not for profit.
"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

"Dependent" means a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if such person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support.

"Employee" means all persons employed by a governmental or advisory agency.

"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in Va. Code § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket or other admission or pass unless the ticket, admission, or pass is used. "Gift" does not include honorary degrees and presents from relatives. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, or nephew; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, or sister; or the donee's brother's or sister's spouse.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this policy.

"Immediate family" means (i) a spouse and (ii) any other person residing in the same household as the officer or employee, who is a dependent of the officer or employee or of whom the officer or employee is a dependent.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office.

“Parent-subsidiary relationship” means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to an officer or employee or to a member of his immediate family. Such interest shall exist by reason of:

(i) ownership in a business if the ownership interest exceeds three percent of the total equity of the business;
(ii) annual income that exceeds, or may reasonably be anticipated to exceed, $10,000 from ownership in real or personal property or a business;
(iii) salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or
governmental agency that exceeds, or may reasonably be anticipated to exceed $10,000 annually;

(iv) ownership of real or personal property if the interest exceeds $10,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;

(v) personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or

(vi) an option for ownership of a business or real or personal property if the ownership interest will consist of (i) or (iv) above.

"Personal interest in a contract" means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or governmental agency, or represents or provides services to any individual or business and such property, business, or represented or served individual or business is

(i) the subject of the transaction or

(ii) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.

Notwithstanding the foregoing, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee, or elected member of a local governing body is appointed by the local governing body to serve on a governmental agency, or an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer or employee.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

D. Special Anti-Nepotism Rules Relating to School Board Members and Superintendents

1. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law, of the superintendent or of a School Board member. This provision shall not be construed to prohibit the employment, promotion, or transfer within the school division, of any person within a relationship described above when such person:

• has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the Board or superintendent; or
• has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or

• was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the School Board or superintendent.

A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such board member or superintendent or to the inception of such relationship.

2. No family member (as listed in section D.1., above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

E. General Rules Governing Public Conduct by School Board Members Regarding Gifts and Favors

1. Prohibited Conduct

Neither the School Board collectively, nor any member of the board, shall:

   a. Solicit or accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her regular compensation, expenses or other remuneration;
   b. Offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion in the school division;
   c. Offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division.
   d. Use for his or her own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public;
   e. Accept any money, loan, gift, favor or service that might reasonably tend to influence the discharge of duties;
   f. Accept any business or professional opportunity from which a School Board member may gain a financial benefit, where the member knows or should know that there is a reasonable likelihood that the opportunity is being offered with intent to influence his or her conduct in the performance of official duties.

2. Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of the School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.
F. Prohibited Conduct Regarding Contracts

1. No School Board member shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board;

2. Exceptions - The above prohibition shall not be applicable to:
   
a. A Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board;

b. Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public;

c. A contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board. However, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract;

d. The sale, lease or exchange of real property between an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof;

e. The publication of official notices;

f. Contracts between the government or school board of a town or city with a population of less than 10,000 and an officer or employee of that town or city government or school board when the total of such contracts between the town or city government or school board and the officer or employee of that town or city government or school board or a business controlled by him does not exceed $10,000 per year or such amount exceeds $10,000 and is less than $25,000 but results from contracts arising from awards made on a sealed bid basis, and such officer or employee has made disclosure as provided for in Va. Code § 2.2-3115;

g. An officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of $10,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract;

h. Contracts between an officer's or employee's governmental agency and a public service corporation, financial institution, or company furnishing public
utilities in which the officer or employee has a personal interest provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract;

i. Contracts for the purchase of goods or services when the contract does not exceed $500;

j. Grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency; or

k. An officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee.

l. Employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act (or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act.

The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his household and the annual salary of the subordinate is $35,000 or more.

G. Prohibited Conduct Regarding Transactions

1. Each School Board member and school board employee who has a personal interest in a transaction:

   a. Shall disqualify himself from participating in the transaction if

      (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest, or

      (ii) he is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.

Any disqualification under this subsection shall be recorded in the School Board’s public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115E and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not

(i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or

(ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
b. May participate in the transaction if he is a member of a business, profession, occupation, or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115 G;

c. May participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115 H; or

d. May participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.

2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.

3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the board shall constitute a quorum for the conduct of business and have authority to act for the board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.

4. The provisions of this section shall not prevent a board member or employee from participating in a transaction merely because such a board member or employee is a defendant in a civil legal proceeding concerning such transaction.

H. Disclosure Requirements for School Board Members

1. School board members in each county, city or town with populations in excess of 3,500 will file, as a condition of assuming office, with the clerk of the school board a disclosure statement of their personal interests and other information as is specified on the form set forth in Va. Code § 2.2-3117 and shall thereafter file such statement annually on or before January 15.

2. Any board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the school board's public records in the division superintendent's office for a period of five (5) years.

3. Any board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
   (i) the transaction involved,
   (ii) the nature of the board member's or employee's personal interest affected by the transaction,
   (iii) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction, and
   (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.
The board member or employee shall either make his declaration orally to be recorded in written minutes of the board or file a signed written declaration with the clerk of the board, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day. The board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

4. A board member or employee who is required to declare his interest pursuant to subdivision G.1.c. of this policy shall declare his interest by stating
   (i) the transaction involved,
   (ii) that a party to the transaction is a client of his firm,
   (iii) that he does not personally represent or provide services to the client, and
   (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.

The board member or employee shall either make his declaration orally to be recorded in written minutes of the board or file a signed written declaration with the clerk of the board who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day.

ADOPTED:                June 20, 1988
RESTATEMENT:       March 24, 1997; March 20, 2000; March 22, 2005
REVISED:  December 21, 2011; November 17, 2014

LEGAL REFERENCE:  Code of Virginia, 1950, as amended, §§ 2.2-2101, 2.2-3102, 2.2-3103, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3119.

CROSS REFERENCE:  GCCB Employment of Family Members

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SCHOOL BOARD ORGANIZATIONAL MEETING

The School Board shall organize annually by the election of officers at the first meeting. The organizational meeting shall be held in January. The first order of business shall be the election of the School Board Chair. The new Chair shall then assume office and preside over the remainder of the meeting.

The next order of business shall be the election of the School Board Vice-Chair.

The School Board also shall appoint a clerk and approve a designee or designees of the division superintendent to attend meetings of the School Board in the absence or inability of the superintendent to attend. The School Board may appoint a deputy clerk. The term of office for the above positions shall be one year. The agenda for the organizational meeting shall include setting time, place and dates of regular School Board meetings, approval of School Board member assignments to various committees and agencies whose work is interrelated with the business of the York County School Division, and other items of annual business as appropriate.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1--72, 22.1 -76
SCHOOL BOARD OFFICERS

The officers of the School Board shall be the Chair and the Vice-Chair. The Chair and the Vice-Chair shall be elected annually at the organizational meeting of the School Board.

School Board Chair

The duties of the Chair shall be to preside over all meetings of the School Board, to perform such other duties as may be prescribed by law or by action of the School Board, and sign all legal documents approved by the School Board.

The Chair will act as the spokesperson representing the School Board for public comment. The Chair will control the general direction of the room in which the Board meets and in case of disturbance or disorderly conduct, have the room cleared.

The Chair, as a member of the School Board, has a vote on all matters before the School Board which come to a vote, but does not have an additional vote as Chair in case of a tie.

Vice-Chair

The Vice-Chair, if present, shall preside in the absence of the Chair, and shall be empowered to act in all matters in case of the absence or inability of the Chair to act or as provided by resolution of the School Board. If neither the Chair or vice-Chair is present, the majority board members present, if they constitute a quorum, shall elect one from among themselves to chair the meeting.

ADOPTED: August 26, 1991
RESTATEMENT: March 24, 1997; March 20, 2000; November 17, 2014
REVISED: March 22, 2005; December 21, 2011
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-72, 22.1-76
SCHOOL BOARD CLERK

On recommendation of the superintendent, a clerk shall and a deputy clerk may be appointed annually at the organizational meeting of the School Board. On recommendation of the Superintendent, the compensation of the Clerk and Deputy Clerk will be set at the organizational meeting of the School Board.

The clerk and deputy clerk shall each be bonded in an amount no less than ten thousand dollars ($10,000), and the School Board shall pay the premiums for each bond. The clerk and deputy clerk shall discharge under the general direction of the division superintendent all duties as required by law and such other duties as may be required by the School Board or the State Board of Education.

ADOPTED: August 26, 1991
RESTATEMENT: March 24, 1997; March 20, 2000; November 17, 2014
REVISED: March 22, 2005; December 21, 2011

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-76, 22.1-77

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SCHOOL ATTORNEY

The School Board may retain an attorney for legal counsel and services. The School Board will appoint the attorney at its annual organizational meeting. The school attorney, upon request by the School Board, may attend regular meetings of the Board and other meetings of the Board or its committees.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014

REGULAR SCHOOL BOARD MEETINGS

The School Board will transact all business at official School Board meetings. The School Board will not vote by secret or written ballot. Except as otherwise provided by law, all meetings of the School Board shall be open to the public.

No meeting shall be conducted through telephonic, video, electronic or other communication means where the members are not physically assembled to discuss or transact public business, except as provided in Policy BDD Electronic Participation in Meetings from Remote Locations.

The School Board will give notice of its meetings in accordance with Policy BDDA Notification of School Board Meetings.

At least one copy of all agenda packets and, unless exempt, all materials furnished to the members of the School Board for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the School Board.

Any person may photograph, film, record or otherwise reproduce any portion of an open meeting. The School Board may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of an open meeting. The School Board will not conduct any open meeting in any building or facility where such recording devices are prohibited.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3710, 22.1-72.

CROSS REFS.: BCA Board Organizational Meetings
               BDD Electronic Participation in Meetings from Remote Locations
               BDDA Notification of School Board Meetings
               BDDG Minutes
SPECIAL SCHOOL BOARD MEETINGS

The School Board may hold special meetings when necessary. The special meeting can be called by the Chair on his own initiative or upon the request of two or more Board members.

A. Special meetings may be called provided each member is duly notified, or a reasonable attempt has been made to notify each member. Notice, reasonable under the circumstances, shall be given contemporaneously with the notice provided to members of the School Board.

Business that does not come within the purposes set forth in the call of the meeting shall not be transacted at any special meeting of the School Board unless the quorum present is in unanimous agreement to consider additional items of business.

ADOPTED: August 26, 1991
RESTATEMENT: March 24, 1997; March 20, 2000; March 22, 2005; November 17, 2014
REVISED: December 21, 2011

LEGAL REFERENCE: Code of Virginia, as amended, §§ 2.2-3707, 22.1-72

CROSS Reference: KC Community Involvement in Decision Making
BCA Board Organizational Meetings
BDDA Notification of School Board Meetings
CLOSED MEETINGS

A  Closed meetings may be held only in accordance with Virginia law, for purposes including the following:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the School Board.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student in the the school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the presiding officer of the School Board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the School Board would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board; and consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. For purposes of this subdivision, “probable litigation” means litigation which has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.

8. Discussion or consideration of honorary degrees or special awards.

9. Discussion or consideration of tests or examinations or other records excluded from public disclosure pursuant to Va. Code § 2.2-3705.1.
10. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

11. Discussion or consideration of medical and mental records excluded from disclosure under Va. Code § 2.2-3705.5.

12. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

13. Discussion or consideration of records excluded from mandatory disclosure pursuant to subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such records.

14. Discussion or consideration of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

B No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3711.

CROSS REFERENCE: BDDA Notification of School Board Meetings

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CALLING AND CERTIFICATION OF CLOSED MEETINGS

A. No closed meetings shall be held unless the School Board has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting and (iii) makes specific reference to the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act, and stated in Policy BDC. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.

B. The notice provisions of the Virginia Freedom of Information Act shall not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting for the purpose of interviewing candidates the School Board shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within fifteen days thereafter.

C. The School Board, in holding a closed meeting, shall restrict its discussion during the closed meeting only to those purposes specifically exempted under the Virginia Freedom of Information Act and identified in the motion required in part A, above.

D. At the conclusion of any closed meeting, the School Board shall reconvene in open meeting immediately thereafter and shall take a roll call or other recorded vote to be included in the Board minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the School Board. Any member of the Board who believes that there was a departure from the requirements of subdivisions (i) and (ii) above, shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the School Board minutes.

E. Failure of the certification required by subsection D, above, to receive the affirmative vote of a majority of the members of the School Board present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce these provisions.

F. The School Board may permit non-members to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the Board in its consideration of a topic which is a subject of the meeting.

G. Except as specifically authorized by law, in no event may the School Board take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707 and Policy BDDA.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3712.

CROSS REFS.: BDC Closed Meetings
              BDDA Notification of School Board Meetings
ELECTRONIC PARTICIPATION IN MEETINGS
FROM REMOTE LOCATIONS

Except as provided hereafter, the School Board shall not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic, or other communication means where the members are not physically assembled.

I. Quorum Physically Assembled

A school board member may participate in a meeting through electronic communication means from a remote location that is not open to the public:

1. if, on the day of a meeting, the school board member notifies the chair of the School Board that he or she is unable to attend the meeting due to an emergency and identifies with specificity the nature of the emergency, and the School Board
   a. approves the member's participation by a majority vote of the members present and
   b. records in its minutes the specific nature of the emergency and the remote location from which the member participated.

In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a Board member's participation from a remote location is disapproved, such disapproval will be recorded in the minutes with specificity.

Such participation by a school board member shall be limited each calendar year to two meetings or 25 percent of the meetings of the School Board, whichever is fewer; or

2. if a school board member notifies the school board chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the School Board records this fact and the remote location from which the member participated in its minutes.

A school board member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and
- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

II. Quorum Not Physically Assembled

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided
• the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
• the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the School Board shall
• give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
• make arrangements for public access to the meeting;
• make available to the public, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board’s staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;
• record minutes of the meeting in accordance with Policy BDDG; and
• record in the minutes votes taken by name in roll-call fashion.

The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes of the meeting.

III. Reporting

If the School Board meets by electronic means as provided in this section, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 15 of each year:
• the total number of electronic communication meetings held that year;
• the dates and purposes of the meetings;
• the number of sites for each meeting;
• the types of electronic communication means by which the meetings were held;
• the number of participants, including members of the public, at each meeting location;
• the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location;
• a summary of any public comment received about the electronic communication meetings; and
• a summary of the School Board’s experience using electronic communication meetings, including its logistical and technical experience.

At any meeting at which any member of the School Board participates electronically, the School Board will make copies of the public comment form prepared by the Virginia Freedom of Information Advisory Council available to the public.

ADOPTED: December 21, 2011

REVISED: November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3708, 2.2-3708.1, 2.2-3710.

CROSS REF.: BDDG Minutes

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NOTIFICATION OF SCHOOL BOARD MEETINGS

Regular Meetings

The School Board shall give notice of the date, time, and location of its regular meetings by placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board shall publish notice of its meetings by electronic means whenever feasible. At least one copy of all agenda packets and other nonexempt materials furnished to members of the School Board shall be made available for public inspection at the same time the documents are furnished to School Board members.

Special Meetings

Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided to members of the School Board.

Notification of Closed Meetings Held Solely for the Purpose of Interviewing Candidates for the Position of Superintendent.

The notice provisions described above do not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting the School Board shall announce in an open meeting that such closed meeting shall be held at a disclosed or undisclosed location within fifteen days thereafter.

Direct Notification

Notice of all school board meetings shall be furnished directly to any person who requests such information. Requests to be notified of all meetings should be made at least once a year in writing and include the requester’s name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. Unless the person making the request objects, the school division may provide electronic notice of all meetings in response to such requests.

ADOPTED: August 26, 1991
RESTATEMENT: March 24, 1997; March 20, 2000; March 22, 2005
REVISED: December 21, 2011; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3707

CROSS REFS.: BDA Regular School Board Meetings
              BDB Special School Board Meetings

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AGENDA PREPARATION AND DISSEMINATION

The agenda for the meeting will be prepared by the Clerk. The agenda will include all matters of business submitted by Board members or the Division Superintendent to the Clerk by or before noon on the Monday preceding the regular meeting.

A copy of the agenda packet and materials shall be made available for inspection by the public at the same time such documents are furnished to the School Board members unless the materials are exempt under the Virginia Freedom of Information Act.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3707, 22.1-78.

CROSS REF.: BDA Regular Board Meetings
            BDB Special Board Meetings
            BDDA Notification of School Board Meetings
QUORUM

At any meeting of a School Board, a majority of such Board shall constitute a quorum.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014


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RULES OF ORDER

Every motion will be reduced to writing, if desired by the Chair or any member, and will be delivered at the Clerk’s table to be read; No motion will be considered by the Board unless and until a second to such motion is obtained as required by Roberts’ Rules of Order Newly Revised. The Chair will direct the clerk to state the motion and to poll the members to affect vote on the motion.

All voting except on procedural motions will be by roll call and the ayes and nays will be recorded.

The meeting of the Board may adjourn or recess from day to day or time to time until the business of the Board is completed.

ADOPTED: August 26, 1991
REVISED: March 24, 1997; March 22, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 22.1--78
VOTING METHOD

The official vote on all decisions that are unanimous shall be recorded in the official minutes. The minutes of the meeting shall reflect the method and result of all votes. No votes shall be taken by secret or written ballot.

In any case in which there shall be a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it shall again be voted upon even though all members are not present.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3710, 22.1-57.3

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MINUTES

Complete and accurate minutes of all open School Board meetings shall be recorded by the
clerk, approved by the School Board in regular session, signed by the clerk and Chair of the
Board, and kept and stored in accordance with the provisions of the Code of Virginia.

Except as otherwise specifically provided by law, minutes and other official records of the
School Board, including the School Board meeting agenda packets, shall be open to
inspection and copying by any citizen of Virginia during the hours when the School Board
office is regularly open to the public. Draft minutes and all other records of open meetings,
including audio or audio/visual records, shall be deemed public records and subject to
production pursuant to the Virginia Freedom of Information Act. The superintendent is
authorized to make a charge for the copying and search time expended by School Board
employees in supplying requested records, provided such charges do not exceed the actual
cost to the School Board in supplying these services.

Minutes may be taken during closed meetings of the School Board, but shall not be
required. Such minutes shall not be subject to mandatory public disclosure.

Minutes are not required to be taken at deliberations of study commissions or study
committees, or any other committees or subcommittees appointed by the School Board
except where the membership of any such commission, committee or subcommittee
includes a majority of the School Board.

Minutes shall include, but are not limited to
• the date, time, and location of the meeting;
• the members of the School Board recorded as present and absent; and
• a summary of the discussion on matters proposed, deliberated or decided; and
• a record of any votes taken.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3701, 2.2-3704, 2.2-
3707, 2.2-3712, 22.1-74.

CROSS REFS.: BDC Closed Meetings
               BDD Electronic Participation in Meetings from Remote Locations
               KBA Requests for Information

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PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

All meetings of the Board, as provided by law, will be open to the public; correspondingly, interested persons are encouraged to attend both regular meetings and work sessions. Any member of the community may address the Board at any regular meeting at designated times and in accordance with the following guidelines:

1. A sign-up sheet listing name, address and topic will be placed at the entrance to the Board room. Persons who wish to address the Board are requested to sign up prior to the start of the Business portion of the meeting. The meeting location will be opened at least 20 minutes before the meeting to allow for entry. Community members who do not sign up to address the Board prior to the beginning of the Business portion of the meeting will be given an opportunity to speak at the end of the Board’s meeting agenda. Such community member comments made at the end of the Board meeting shall be subject to the conditions and limitations listed.

2. The Chair will recognize community members to address the Board on agenda or non-agenda items during the public comment time specified on the agenda. The Chair will impose a time limit of three minutes per speaker, with no more than 30 minutes allocated for the comments of community members. This 30-minute period may be extended at the Chair’s discretion.

3. An individual will be limited to one time allotment per meeting.

4. Upon recognition by the Chair, speakers will clearly state their names and addresses and commence their remarks. Speakers will address their remarks to the York County School Board. The Chair has discretionary authority to rule a speaker out of order.

5. The York County School Board will listen to community members' comments and, at the discretion of individual Board members, may engage in dialogue with individual speakers. The Chair will maintain the public meeting's decorum.

Public advisory meetings will be held by the Board when deemed necessary in the interest of the School Division. The Division Superintendent, Chair of the Board, and/or other members of the Board will attend. The Chair will preside or may designate another member or the Division Superintendent to preside.

1. A public advisory meeting will be either a “public forum” or a “public hearing.”

2. A public forum will have for its purpose exchange of information between the York County School Board and York County community members through dialogue. Time limits, location, and schedule will be promulgated by the Chair for each forum.

3. A public hearing will have for its purpose the survey of community members’ views on matters of public policy such as the annual operating budget, the capital improvement budget, and proposed bond issues. The survey will be accomplished by the Board listening to comments of community members who sign up to speak at the public hearing as provided for above. The York County School Board and staff members will not engage in dialogue on the issue at a public hearing. Time limits, location, and schedule will be promulgated for each public hearing by the Chair.

ADOPTED: June 20, 1988

REVISED: August 26, 1991; December 14, 1992; October 24, 1994; December 14, 1998; May 19, 2003; May 20, 2013; June 13, 2014

RESTATEMENT: February 26, 2008; February 28, 2011; November 17, 2014


CROSS REFERENCE: BDDE Rules of Order
AGENDA FORMAT

AGENDA
SCHOOL BOARD OF YORK COUNTY
REGULAR MEETING

Start Time
1. Call to Order
2. Pledge of Allegiance
3. Recognitions and Awards
   A. Seniors of the Month (when applicable)
   B. Student Service Awards (when applicable)
   C. Community Volunteers of the Month (when applicable)
   D. York Foundation for Public Education Presentation
   E. Special Recognition or Awards as Needed
4. Unfinished Business
5. Presentations
6. Comments of Citizens
7. Matters by Board Members
8. Financial Matters
   A. Approval of Claims Certified for Payment
   B. Financial Reports
   C. Consideration of approval of Resolution No. – A Resolution Authorizing Specific Procurement.
9. Consent Calendar
   A. Approval of Personnel Actions
   B. Approval of Previous Minutes:
   C. Approval of Donations
   D. Other Items of Routine Business
10. Action Items
11. Policy - Discussion
12. Policy - First Reading
13. Policy - Second Reading - Action

The Clerk shall prepare each regular meeting agenda in the format listed in this file. The sequence of business provided in the format may be changed by adoption of a motion made immediately after the Chair's call to order

ADOPTED: June 20, 1988
REVISED: June 24, 1991; July 28, 1992; March 24, 1997; April 19, 1999; March 22, 2005; June 14, 2005; December 21, 2011
RESTATEMENT: March 20, 2000; November 17, 2014
BOARD POLICY MANUAL

The School Board is guided by written policies that are readily accessible to the Board, division employees, students, parents, and citizens. All division policies will be reviewed at least every five years and revised as needed. A current copy of all division policies and regulations will be posted on the division’s website. Printed copies of the policies and regulations are available as needed to citizens who do not have online access. The Division Superintendent shall ensure that an annual announcement is made at the beginning of the school year and, for parents of students who enroll later in the academic year, at the time of enrollment, advising the public regarding the availability of all policies and regulations.

ADOPTED: May 18, 1992
REVISED: March 20, 2000; March 22, 2005; December 21, 2011; November 18, 2013
RESTATEMENT: March 24, 1997; November 17, 2014


CROSS REFERENCE: Policy Adoption

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POLICY ADOPTION

It is the responsibility of the School Board to adopt policies for governing the school division. The power to enact policy cannot be delegated to an employee or agent such as the superintendent or a single member of the School Board.

Policy is a basic statement of the intent of the School Board which creates rights and responsibilities for the conduct of the school division’s business. Being of a dynamic nature, policies are subject to revision by the School Board.

Regulation is the manner or method of implementation of policy by the superintendent and staff, subject to change as conditions and/or circumstances may dictate.

Policies shall be developed and presented to the Board evidencing the consideration given to the views of the division’s community. The final authority for adoption rests solely with the School Board.

When a proposed action of the School Board, initiated either by Board member or administration, affects existing School Board policies, the existing policy and regulation, if any, shall be referenced so that the effect of the new action will be clear.

Unless otherwise provided, when policies are adopted, altered or replaced, the new or revised policy shall become effective upon adoption.

All regulations for implementation of the policies shall be developed by or through the superintendent.

Where changes in policy and/or regulations are made, these shall be prepared and distributed to all concerned for insertion into the policy and/or regulations manuals so that action of the School Board may be implemented as soon as possible.

The Division Superintendent, or designee, is authorized to make grammatical or formatting changes to any policy or regulation when a grammatical error or formatting style error is evident and such changes do not materially affect the content of the policy or regulation.

ADOPTED: December 21, 2011
REVISED: November 18, 2013
RESTATEMENT: November 17, 2014


CROSS REFs.: BF Board Policy Manual
BFE Administration in Policy Absence
ADMINISTRATION IN POLICY ABSENCE

The Division Superintendent is authorized to make administrative decisions in the absence of Board policy.

ADOPTED: June 20, 1988
RESTATEMENT: March 24, 1997; March 20, 2000, March 22, 2005; December 21, 2011; November 17, 2014

The York County School Board encourages open lines of communication with School Board employees. The Board recognizes the need to make clear the proper channels of communication to be utilized in considering employees’ views in an orderly and constructive manner. Accordingly, it should be noted that the Division Superintendent or his designee will act as the official representative of the School Board in its relations with all employees. All reports and recommendations to the Board from any officer or employee under the Division Superintendent's direction will be made through the Division Superintendent's office except when specifically directed by the Board. All Board actions requiring any report will be directed to the Division Superintendent. This proviso's intent is that the Board will deal only with the Division Superintendent in respect to all matters for which he is responsible.

The School Board further directs the Division Superintendent or his designee to:

1. meet on a timely basis with all classifications of employees to receive suggestions and give appropriate consideration to the views of the employees in matters of concern to them.
2. provide for input by all classifications of employees in the formulation of policies which directly affect each classification before the policy is recommended to the Board for adoption.
3. arrange for special presentations to the Board by all classifications of employees at their request or when requested by the Board. These presentations may be made at a regular or special meeting of the Board. Such meetings will be scheduled in advance of the formal presentation of the school budget when they pertain to matters that have monetary impact.
4. post on the Division's internal and external web sites information on Board actions, or contemplated actions, and to make available School Board agendas to all interested groups in advance of regularly scheduled School Board meetings.
5. provide means by which a School Board employee can bring directly to the attention of the Division Superintendent or chief officer, or a director or a principal, matters of concern regarding School Division operations or pupil instruction.

This policy should not be interpreted as prohibiting teachers or staff from speaking directly with School Board members. It is recognized that informal lines of communication do exist. The intent of the policy is to direct concerns to parties responsible for addressing the issues as soon as possible.

ADOPTED:                June 20, 1988
REVISED:                 April 22, 1991; December 14, 1992; March 27, 1995;
                        December 14, 1998; May 19, 2003; December 21, 2011
LEGAL REFERENCE:   Code of Virginia, Section 22.1-253.13:7.C.1
SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES

The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Board shall plan specific in-service activities designed to assist School Board members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society.

School board members will participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel, policies and practices; curriculum and instruction; use of data in planning and decision making; School Board self-assessment; and current issues in education.

Funds shall be budgeted annually to support this program. Individual School Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The School Board shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed about the School Board’s continuing in-service educational activities.

The School Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in School Board conferences, workshops and conventions conducted by the Virginia and the National School Boards Association.

2. Division-sponsored training sessions for School Board members.

3. Subscriptions to publications addressed to the concerns of School Board members.

ADOPTED: August 26, 2008
REVISED: December 21, 2011

RESTATEMENT: November 17, 2014


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SCHOOL BOARD MEMBER COMPENSATION AND BENEFITS

Chair
Each member of the School Board shall receive an annual salary as provided by law.

Actual expenses incident to performance of official duties by a School Board member may be reimbursed on presentation of an expense voucher with receipts attached. Compensation is paid for mileage incurred for attendance at a meeting of the School Board and in conducting other official business of the School Board.

School Board members may participate in the division’s group insurance plan.

ADOPTED: June 20, 1988
RESTATEMENT: March 24, 1997; March 20, 2000; November 17, 2014
REVISED: March 22, 2005; December 21, 2011


CROSS REF.: BHE School Board Member Liability Insurance

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SCHOOL BOARD MEMBER LIABILITY INSURANCE

The School Board shall provide liability insurance, or self-insurance, for its members while performing functions or services for the school division to cover the costs and expenses incident to liability, including those for settlement, suit or satisfaction of judgment, arising from their conduct in discharging their duties or in performing functions or services for the school division.

ADOPTED: December 21, 2011

RESTATEMENT: November 17, 2014


Cross Refs.: BHD Board Member Compensation and Benefits

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ADMINISTRATION GOALS

The County School Board of York County, Virginia places the primary responsibility and authority for the administration of the York County School Division in the Division Superintendent. The Division Superintendent is responsible for the direction, leadership, and coordination of students and staff in their efforts to reach educational goals adopted by the School Board.

The School Board expects the Division Superintendent to provide leadership in:

1. Decision-making.
2. Communication.
3. Planning, organizing, implementing, and evaluating educational programs.
4. Developing and maintaining close working relationships and channels of communication within the school system and community.

As chief executive officer, the Division Superintendent is entrusted with full authority for the administrative management of the School Division according to School Board policies, state laws, federal laws, federal regulations and State Board of Education regulations. The Division Superintendent will have the power to delegate to subordinates authority as deemed appropriate.

ADOPTED: June 20, 1988
REVISED: May 19, 2003; November 18, 2013
QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

QUALIFICATIONS

The candidate for Division Superintendent shall meet the qualifications as set forth in State Board of Education Regulations Governing Licensure of School Personnel. The School Board may define additional qualifications. Before entering upon the discharge of this office, the Division Superintendent will take and subscribe the oath prescribed for an officer of the Commonwealth of Virginia as provided in the Code of Virginia.

DUTIES

The powers and duties of the Division Superintendent are fixed by state statute and by the State Board of Education with additional specific duties prescribed by the County School Board of York County, Virginia which include, but are not limited to the following:

1. The Division Superintendent will be the executive agent of the School Board and will be responsible for seeing that all School Board policies are carried out in the schools.
2. The Division Superintendent shall observe directions and regulations as the Superintendent of Public Instruction and the State Board of Education may prescribe and make special reports to the Superintendent of Public Instruction whenever required.
3. The Division Superintendent shall ensure that an accurate record of all receipts and disbursements of school funds and all statistical information which may be required by the State School Board is kept.
4. The Division Superintendent shall report annually to the School Board regarding division-wide ratios of students in average daily membership to full-time teaching equivalent positions.
5. The Division Superintendent shall biennially file with the Superintendent of Public Instruction an acceptable use policy, approved by the School Board.
6. The Division Superintendent shall inspect the accounts of the Clerk of the Board periodically and ensure that such accounts are kept correctly and that all school funds are properly applied.
7. The Division Superintendent shall distribute promptly all reports, forms, laws and regulations which may be received from the Superintendent of Public Instruction in accordance with his directions.
8. The Division Superintendent shall present to the public relevant information regarding the School Division on all suitable occasions. He will take care that all school laws and regulations are strictly enforced. In the case of controversies relating either to Virginia statutes affecting schools, or to regulations published by the State Board of Education, he will ensure compliance with the decisions of the Superintendent of Public Instruction, and of the State Board of Education. In cases of non-compliance with those decisions,
the Division Superintendent will inform the Superintendent of Public Instruction of relevant facts and circumstances.

9. The Division Superintendent periodically will visit and inspect each school to have firsthand knowledge of conditions in the schools.

10. The Division Superintendent will inquire into all matters relating to the management of the schools, the Program of Studies, methods of instruction, and use of textbooks. Also, he will give particular attention to the physical condition and state of maintenance of the various school buildings.

11. The Division Superintendent shall have the authority to take lawful measures to abate nuisances and to condemn school buildings as provided by law, when such school buildings are not safe and may endanger the health of pupils.

12. The Division Superintendent shall promote the improvement and proficiency of teachers and other school personnel by all appropriate methods. The Division Superintendent shall also endeavor by all appropriate means to promote an appreciation and desire for education among the people.

13. The Division Superintendent shall at least annually, if so requested by the School Board, survey the School Division to identify critical shortages of teachers and administrative personnel by subject matter and report such critical shortages to the School Board, Superintendent of Public Instruction, and to the Virginia Retirement System.

14. The Division Superintendent shall suspend school operations as necessary to deal with potential threats to the welfare of the students which develop while schools are in session (e.g., building problems, severe weather, etc.).

15. The Division Superintendent shall organize and assign teachers, administrative and supervisory staff, and other employees in a manner deemed to be in the best interest of the School Division. The Division Superintendent shall select, assign and transfer all personnel, subject to School Board approval, and subject to the provisions of the laws of the Commonwealth of Virginia and the regulations of supervisory educational authorities.

16. The Division Superintendent shall report periodically to the State Board on the general condition of the schools and the effectiveness of the instructional program.

17. The Division Superintendent, with the assistance of the Clerk of the Board, shall submit monthly and annually financial reports to the School Board showing receipts, disbursements and balances.

18. The Division Superintendent shall recommend candidates to fill personnel vacancies and shall recommend dismissal of employees whose services are unsatisfactory.

19. The Division Superintendent shall attend all School Board meetings. With an affirmative majority vote of the School Board members, his attendance may be dispensed with at a special School Board meeting. If matters pertaining to him personally are under discussion, he will remain subject to the call of the School Board.

20. The Division Superintendent shall promulgate regulations and ensure compliance with the implementation of School Board policies for the efficient organization and
administration of the School Division and for the effective instruction of students in the various schools.

21. The Division Superintendent shall plan and direct meetings of School Board employees as deemed necessary to assist employees in discharging their duties for improving methods of teaching and for building morale.

22. The Division Superintendent shall select and recommend to the School Board suitable instructional materials, instructional systems and equipment.

23. The Division Superintendent shall ensure the effective organization of the various schools in terms of assigning instructors and allotting classroom space so that an effective instructional program is maintained.

24. The Division Superintendent shall ensure that school, pupil and attendance records comply with State School Board regulations; and that all necessary reports are accurately and properly made by School Division personnel.

25. The Division Superintendent shall administer a system of reports that will help keep parents informed of the progress, attendance, conduct and health of students.

26.

27. The Division Superintendent shall prepare the annual operating budget for submission to the School Board for approval.

28. The Division Superintendent shall manage expenditures within the state approved major classifications made by the School Board.

29. The Division Superintendent shall issue, either electronically or in printed form, such memoranda, bulletins and notices as necessary for the efficient operation of the School Division.

30. The Division Superintendent shall issue standard operating procedures for administrative matters of a continuing or repetitive nature. Where applicable, the Division Superintendent shall organize and issue superintendent’s regulations for administrative procedures for a specific aspect of School Division operations. Standard operating procedures and superintendent’s regulations shall be maintained in a descriptively titled manual and promulgated electronically or in printed form as appropriate and will be issued over the Division Superintendent's signature.

31. The Division Superintendent shall prepare the annual school year calendar for approval by the School Board.

32. The Division Superintendent shall serve as the professional consultant to the School Board and impartially give his professional opinions and knowledge in all deliberations where they may be helpful.

33. The Division Superintendent shall ensure appropriate response to all correspondence relating to the business of the School Board office and shall maintain a filing system for all official records, reports and papers.

34. The Division Superintendent shall be personally responsible for any specific duties delegated to other persons or employees. All reports and recommendations to the School Board from any officer or employee under the direction and supervision of the Division Superintendent will be made through the Division Superintendent, unless
otherwise officially directed by the School Board. All School Board directions requiring a specific course of action by personnel other than the Division Superintendent will be channeled through the Division Superintendent. The School Board and its members will deal only with the Division Superintendent in respect to matters for which he is responsible.

35. The Division Superintendent shall supervise the Clerk of the School Board in preparing the regular School Board meeting agenda in a timely manner as directed by the School Board.

The enumeration of specific duties in this section or elsewhere shall not be construed to lessen the responsibility for those duties of a general nature imposed on the Division Superintendent by the nature of his position.

ADOPTED: June 20, 1988
REVISED: May 20, 1991; April 18, 1994; May 19, 2003; January 28, 2008; January 24, 2011; November 18, 2013
RESTATEMENT: January 25, 1999
LEGAL REFERENCE: Constitution of Virginia, Article VIII; Code of Virginia, §§ 22.1-58 through 22.1-70; 22.1-297; Regulations of the State Board of Education
APPOINTMENT AND TERM OF THE DIVISION SUPERINTENDENT

The School Board will appoint the Division Superintendent and determine the term of employment as set forth in State law.

If the School Board fails to appoint a Division Superintendent within 180 days of a vacancy, the Virginia School Board of Education will appoint a Division Superintendent for the School Division. If the School Board has not appointed a Division Superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. If the School Board does not appoint a Division Superintendent within 180 days of a vacancy, it will immediately notify the Virginia School Board of Education, in writing, of its failure to do so. Within 30 days of the 180th day after the vacancy occurs, the School Board will submit, in writing, its preferred candidate(s), not to exceed three, for the position. The Virginia School Board of Education may consider these candidates and other eligible individuals. The Virginia School Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a Division Superintendent.

If the Virginia School Board of Education appoints a Division Superintendent, the contract for the Division Superintendent will be negotiated by the School Board.

ADOPTED: November 18, 2013
DISCLOSURE STATEMENT REQUIRED OF SUPERINTENDENT

The Division Superintendent shall, as a condition to assuming employment, file a disclosure statement of his or her personal interests and other information as is specified on the form set forth in Code of Virginia § 2.2-3117. Completed forms shall be filed and maintained as public records for five years in the office of the Clerk of the County School Board of York County, Virginia. After the initial disclosure, the Division Superintendent must file this statement annually on or before January 15.

ADOPTED: November 18, 2013
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3115, 2.2-3117.

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SUPERINTENDENT'S CONTRACT, COMPENSATION AND BENEFITS

The Division Superintendent’s contract shall set forth the Division Superintendent’s compensation and benefit package. The Division Superintendent’s contract is available to the public pursuant to the Virginia Freedom of Information Act.

The School Board shall not renegotiate a Division Superintendent’s contract during the period following the election or appointment of new members and the date such members are qualified and assume office.

When the Division Superintendent’s contract is being renegotiated, each member of the School Board will be notified at least 30 days in advance of any meeting at which a vote is planned on the renegotiated contract unless the members agree unanimously to take the vote without the 30 days notice. Each member’s vote on the renegotiated contract will be recorded in the minutes of the meeting.

ADOPTED: November 18, 2013

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-3705.8, 22.1-60.

CROSS REFERENCE: CBB: Appointment and Term of the Division Superintendent

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EVALUATION OF THE SUPERINTENDENT

It is the responsibility of the School Board to maintain and improve the quality of administration and instruction. One of the primary methods used in carrying out this responsibility is to work with the Division Superintendent in improving his or her effectiveness.

Annually, the Division Superintendent will provide to the School Board a work plan designed to implement the goals set for the division by the School Board. The School Board shall evaluate the Division Superintendent annually. The School Board shall develop the instrument to evaluate the Division Superintendent after consulting (1) the uniform performance standards and criteria developed by the Board of Education and (2) the Division Superintendent. The Division Superintendent’s evaluations will include student academic progress as a significant component and an overall summative rating. Informal evaluations may also take place as the Board deems appropriate, provided that specific criteria for such appraisals be communicated to the Division Superintendent.

Each School Board member will be involved in assessing the Division Superintendent’s job performance on a continuing basis and by completing the annual evaluation instrument. Upon conclusion of the annual performance appraisal, the evaluation will be reviewed with the Division Superintendent by the School Board or its designees.

ADOPTED: November 18, 2013

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ADMINISTRATIVE ORGANIZATIONAL PLAN

The Division Superintendent shall submit to the School Board for approval the administrative and supervisory staff position assignments for next the fiscal year.

The Division Superintendent and each school principal shall maintain an organization chart or other documents which are current, reflect line and staff relations and indicate all personnel, both licensed and non-licensed, who are employed in the School Board Office or in individual schools or support offices.

ADOPTED: June 20, 1988
REVISED: May 19, 2003; January 24, 2011; November 18, 2013
LEGAL REFERENCE: Code of Virginia, § 22.1-297
ADMINISTRATION IN POLICY ABSENCE

The Division Superintendent is authorized to make administrative decisions in the absence of School Board policy.

ADOPTED:    June 20, 1988
RESTATEMENT: March 24, 1997; March 20, 2000, March 22, 2005; December 21, 2011;
            November 18, 2013; November 17, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78
SCHOOL DIVISION ANNUAL REPORT

The School Board, with the assistance of the Division Superintendent, shall make a report on or before September 15 of each year covering the work of the schools for the year ending June 30, to the State Board of Education on forms supplied by the Superintendent of Public Instruction.

ADOPTED: June 20, 1988
REVISION: May 19, 2003; January 24, 2011; November 18, 2013
LEGAL REFERENCE: Code of Virginia, § 22.1-81
OPERATING HOURS FOR SCHOOL DIVISION FACILITIES

1. School Board Office - This facility shall be open to the public from 8 a.m. to 5 p.m. Monday through Friday throughout the fiscal year except for those dates designated as holidays on the School Board approved school year calendar and on other dates designated by the Division Superintendent when conditions warrant.

2. Schools - School offices will be open to the general public Monday through Friday of the school year as follows: high schools - 7 a.m. to 4 p.m.; middle schools and elementary schools - 8 a.m. to 4:15 p.m. Offices will be closed on dates which have been designated as holidays on the School Board approved school year calendar and on other dates designated by the Division Superintendent when conditions warrant.

3. Classrooms and other facilities within the school will be open during those hours designated by the school principal as necessary to carry out the program of instruction and the authorized extra curricula program. In every case a School Board employee must be present when a school building is open for any purpose. When a York County Parks and Recreation program activity uses a school facility outside the regular school day, a County employee may be assigned to provide physical security for the facility in lieu of a School Board employee.

4. Between completion of classes in June and resumption of classes in September school offices will maintain the schedule specified by the Division Superintendent.

5. Support Operations Offices - The School Division Warehouse, Maintenance Office, and School Bus Garage will be open on a schedule, approved by the Division Superintendent, each work day of the fiscal year.

6. The Transportation Office shall operate on a schedule, approved by the Division Superintendent, which ensures the reliability and safety of bus transportation services provided to York County School Division pupils.

ADOPTED: June 20, 1988
REVISED: July 28, 1993; May 19, 2003; January 28, 2008; November 18, 2013
RESTATEMENT: April 18, 1994; January 25, 1999; January 24, 2011
STATE-MANDATED DISPLAYS

A flag of the United States of America and a flag of the Commonwealth of Virginia are to be flown in accordance with protocol in an appropriate place at each school while schools are in session. Copies of the U.S. Bill of Rights and the national motto are to be displayed prominently in each school.

ADOPTED: June 20, 1988
RESTATEMENT: April 19, 1999; January 24, 2011; November 18, 2013
LEGAL REFERENCE: Code of Virginia, § 22.1-133; §1 of Chapter 891 of the Acts of Assembly of 2002
STUDENT HANDBOOK

Annually the School Board shall approve student handbooks which will be delivered to students at the beginning of the school year. The regulations therein have the weight of School Board policy.

ADOPTED: June 20, 1988
REVISION: May 19, 2003
SECTION D
## SECTION D: FISCAL MANAGEMENT

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MANAGEMENT OF FUNDS

The superintendent or his/her designee shall be responsible for administering the division budget in accordance with board policies and applicable state and federal regulations, and laws; therefore, the superintendent or his/her designee will use appropriate fiscal planning and management methods, modeled after the best accepted business practices and directed toward the educational goals of the division.

1. If the appropriating body approves the School Board budget by total expenditures, funds may be transferred by the School Board from one category to another. If funds are appropriated to the School Board by major classifications, no funds shall be expended by the School Board except in accordance with such classifications without the consent of the body appropriating the funds.

2. The superintendent is authorized by the School Board to make line item transfers within a category.

The School Board shall manage and control the funds made available to the School Board for the public schools and may incur costs and expenses.

The quantity and quality of learning programs are directly affected by available funding and the effective, efficient management of those funds. It follows that achievement of the division’s financial goals can best be achieved through excellent fiscal management. Further, the Board recognizes the important trust inherent in managing substantial public resources.

In the division’s fiscal management, the Board seeks to achieve the following goals:

1. To engage in thorough advanced planning to develop budgets and to guide expenditures to achieve the greatest educational returns and the greatest contributions to the educational program;

2. To establish levels of funding which will provide high quality education for the students of the division;

3. To use the best available techniques and processes for budget development and management;

4. To provide timely and appropriate information to the School Board and all staff with fiscal management responsibilities;
5. To establish and implement efficient procedures for accounting, reporting, purchasing, payroll, payment of vendors and contractors, and all other areas of fiscal management; and

6. To develop a balanced budget with total expenditures not exceeding total revenues and monies available in fund balance within an individual fund.

ADOPTED: April 29, 1996
REVISED: December 12, 2011
CROSS REFERENCES: DB Annual Budget
DG Custody and Disbursement of School Funds
DI Financial Accounting and Reporting
DJA Purchasing Authority
DK Payment Procedures
DL Payroll Procedures
ANNUAL BUDGET

The annual school budget is the financial outline of the division's education program. It presents a proposed plan of expenditures and the expected means of financing those expenditures. After adoption, it provides the primary means of managing expenditures.

The fiscal year begins on the first day of July and ends on the thirtieth day of the following June.

The superintendent shall prepare, with the approval of the school board, and submit to the appropriating body, an estimate of the amount of money needed during the next fiscal year for the support of the public schools of the school division. The estimate shall set up the amount of money needed for each major classification prescribed by the Board of Education and such other headings or items as may be necessary.

The superintendent or his/her designee shall prepare a budget calendar identifying all deadlines for the annual budgetary process. The calendar shall include at least one work session for reviewing the budget and at least one public hearing on the budget. Notice of the time and place for the public hearing must be published at least ten days in advance, in a newspaper having general circulation within the school division.

Upon approval of the school division's budget by the appropriating body, the school division shall publish the approved budget, including the estimated required local match, on its website and the document shall also be made available in hard copy as needed to citizens for inspection.

ADOPTED:       June 20, 1988
REVISED:        April 29, 1996; December 15, 2008; December 12, 2011
RESTATEMENT:    June 26, 2000; August 22, 2005, December 15, 2014

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REVENUES FROM TAX SOURCES

In an attempt to provide the best education possible within the financial resources available, the Board will:

- request adequate local funds for the operation of the school division;
- accept all available state funds to which the division is entitled by law or through regulations of the state board of education; and
- accept all federal funds which are available providing there is a specific need for them and that any required matching funds are available.

ADOPTED: April 29, 1996
RESTATEMENT: June 26, 2000; August 22, 2005; December 15, 2008; December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 22.1-88
REVENUES FROM NONTAX SOURCES

The School Board may obtain and receive funds from nontax sources including but not limited to various student fees, rentals, athletic events, royalties, refunds, insurance loss reimbursements, sale of surplus property, rebates, advertisements, gifts, interest on investments, and other sources not prohibited by state law.

Student fees will be set by the School Board on an annual basis according to the Code of Virginia and Regulations of the State Board of Education. No fees may be charged without prior approval of the School Board.

Fees charged to non-school groups for the use of real and personal property will be approved by the School Board.

ADOPTED: April 29, 1996
RESTATEMENT: June 26, 2000; August 22, 2005; December 15, 2008; December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-6, 22.1-131, 22.1-132
CUSTODY AND DISBURSEMENT OF SCHOOL FUNDS

All public money, except 1) money generated by school activities, and classified "school activity fund accounts," 2) petty cash funds, 3) accounts established for the purchase of instructional materials and office supplies, 4) York County School Board Defined Benefit Plan and 5) self-insured insurance programs, must be deposited with the County Treasurer, who shall be in charge of the receipts, custody and disbursement of School Board funds and who must keep such funds in an account or accounts separate and distinct from all other funds. Checks must be drawn on the School Board account by the County Treasurer, Virginia.

Disbursement of School Board funds shall be approved as provided in Policy DK Payment Procedures.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014

CROSS REFERENCES: DGC School Activity Funds
DGD Funds for Instructional Material and Office Supplies
DJB Petty Cash Funds
DK Payment Procedures

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SCHOOL ACTIVITY FUNDS

All funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account, and from any and all activities of the school involving personnel, students, or property are considered school activity funds. Student activity funds are intended to finance programs within the schools and must be expended in a manner to benefit the student body.

Each school shall keep an accurate record of all receipts and disbursements of school activity funds so that a clear and concise statement of the condition of each fund may be determined at all times. It is the duty of each principal to see that the funds are to be maintained in a manner consistent with the Code of Virginia and Regulations of the State Board of Education. The superintendent shall implement the policy by appropriate regulations.

At least once a year, a certified public accountant shall perform an audit of school activity funds to ensure funds are being managed in accordance with this policy and all funds are properly accounted for. A copy of the report resulting from the audit (and the completed corrective action plan, if suggestions for improvement are made) shall be reviewed by the superintendent and the School Board, and filed in the office of the clerk of the School Board, the superintendent, and the principal. The cost of such an audit will be paid from the school operating fund. Monthly reports of such funds shall be prepared by the principal and filed in the principal's office.

ADOPTED: June 20, 1988
REVISED: April 29, 1996; December 12, 2011

CROSS REFERENCES: DG Custody and Disbursement of School Funds
DM Cash in School Buildings
AUTHORITY OF PRINCIPALS TO EXECUTE CONTRACTS

The principal of each school is authorized to execute contracts in which monetary consideration is provided from the School's Activity Fund. All contracts shall be in the name of the County School Board of York County. Such expenditures shall comply with the Virginia Public Procurement Act. All written contracts shall be approved as to form by the County Attorney before execution. The superintendent shall implement this policy by appropriate regulations.

ADOPTED: May 20, 1991
REVISED: November 19, 1994; December 15, 2008
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 2.2-4346, 22.1-71
School Board Policy Section 3.1.3
Fund raising activities provide funds which contribute to the operation or maintenance of any club or organization of the school. Fund raising activities may be internal and external. Internal fund raising activities take place on school premises or in an alternate location available exclusively to the school. External fund raising takes place outside of the school.

- Elementary Schools. Fund raising activities are restricted to internal fund raising activities only. Internal fund raising activities are left to the discretion and prudent judgment of the school principal. No external fund raising is permitted in the elementary schools.

- Middle and High Schools. Internal fund raising activities will be left to the discretion and prudent judgment of the school principal. External fund raising activities are restricted to one (1) activity per school per school year. This limitation does not preclude advertising in school programs, event programs, yearbooks, and/or performances. In addition, it does not preclude school clubs and organizations, with the approval of the school principal, from participation in not more than one (1) external fund raising activity per club or organization per school year.

ADOPTED: June 20, 1988
RESTATEMENT: December 15, 2008; December 12, 2011, December 15, 2014
SALE OF PHOTOGRAPHS AND RELATED ITEMS TO PUPILS

Sale of photographs and related items to pupils is considered to be an internal fund raising activity as well as a service to pupils and their parents. Advertisement for competitive proposals must be made and proposals properly accepted in a confidential manner. Contracts may be awarded according to the quality of service as well as price, but no vendor will be designated the “official supplier.” An affirmative and complete disclosure must be made by the school to pupils and parents that the project is a fund raising activity, and that they may purchase the goods elsewhere. The disclosure must include the amount that will be retained by the school and the use of the funds.

ADOPTED: June 20, 1988
RESTATEMENT: April 19, 1999; December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-4346
Funds for Instructional Materials and Office Supplies

The School Board may, by resolution and subject to the approval of the appropriating body, establish accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies. The School Board may authorize the transfer of a percentage of the funds budgeted for a school or division department, not to exceed thirty-five percent of the allocation, into the account.

The account shall be managed by the principal of the school or head of the division department who shall file a monthly accounting of the funds with the division superintendent. No additional funds shall be transferred into any such account unless the monthly accounting has been filed. The funds in the account may be disbursed for payment of obligations by issuing a negotiable check signed by the principal or head of the division department, and a second person to be designated by the school board. At the close of the fiscal year, all funds remaining in the accounts shall be returned to the school board simultaneously with a full accounting of the disbursements. All such accounts shall be subject to an annual audit as prescribed by Va. Code § 15.2-2511 and to relevant provisions of the Virginia Public Procurement Act.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014

CROSS REFERENCES: DG Custody and Disbursement of School Funds
DJA Purchasing Authority
DJB Petty Cash Funds
DJG Vendor Relations
DK Payment Procedures

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FINANCIAL ACCOUNTING AND REPORTING

The superintendent or his/her designee shall establish and be responsible for a division's accounting system that will satisfy the Virginia Department of Education's regulations regarding accounting practices and applicable federal, State, and local laws.

Financial Accounting and Reporting

The School Board will receive monthly financial statements, including statements of revenues and expenditures, showing the financial condition of the division as of the last day of the preceding month. School food service funds will be held in separate, interest bearing, bank accounts.

At least once each year the school board will submit a report of all its expenditures to the appropriating body. Such report shall also be made available to the public either on the school division website or in hard copy at the central school division office, on a template prescribed by the Board of Education.

Inventories

The accountability for all equipment and materials belonging to the York County School Board and the maintenance of current inventory stock records is the responsibility of the superintendent or his/her designee. The accountability of all materials and equipment within the individual schools is the responsibility of the individual school principal. The superintendent will implement this policy with appropriate standard operating procedures.

Capital Assets

The superintendent is responsible for the accounting and financial reporting of capital assets owned by the County School Board in accordance with generally accepted accounting principles. The superintendent will implement this policy with appropriate regulations and standard operating procedures.

School Level Accounting System

Each school is required to maintain an accurate, up-to-date accounting system of all money collected and disbursed by the school. These funds will be deposited in accounts in the name of the school.
A record of all receipts and disbursements will be maintained in accordance with the Student Activity Fund Manual as promulgated by the superintendent and in accordance with regulations issued by the State Board of Education.

Audits of School Board Accounts

Arrangements for the audit of School Board accounts by an independent Certified Public Accountant will be coordinated with the County Board of Supervisors. The superintendent or his/her designee is responsible for preparing an audited Comprehensive Annual Financial Report (CAFR) as a component unit of the County of York as soon as practical after the close of each fiscal year. The audited CAFR, including the auditor’s report on compliance and internal controls, will be presented to the Board.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014
CROSS REFERENCES: DA Management of Funds
DB Annual Budget
DG Custody and Disbursement of School Funds
DGC School Activity Funds
DGD Funds for Instructional Materials and Office Supplies
DJB Petty Cash Funds
REPORTING PER PUPIL COSTS

Upon preparing the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the schools, the division superintendent will also prepare and distribute, within a reasonable time as prescribed by the Board of Education, notification of the estimated average per pupil cost for public education in the school division for the coming school year to each parent, guardian, or other person having control or charge of a child enrolled in the school division, in accordance with the budget estimates provided to the appropriating body. The notification will also include actual per pupil state and local education expenditures for the previous school year. The notice may also include federal funds expended for public education in the school division.

The notice will be made available in a form provided by the Department of Education and shall be published on the school division's website or in hard copy upon request.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014

CROSS REFERENCE: DB Annual Budget

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FUND BALANCES

In the governmental fund financial statements of the Comprehensive Annual Financial Report, fund balances will be classified to reflect the limitations and restrictions placed on the respective funds as follows:

Non-spendable - includes amounts that cannot be spent because they are not in spendable form, or are legally or contractually required to be maintained intact.

Restricted - includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers or through enabling legislation.

Committed – includes amounts that can be used only for the specific purposes determined by a formal action of the School Board and cannot be used for any other purpose unless the School Division removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

Assigned - includes amounts that are intended to be used for specific purposes but do not meet the criteria to be classified as restricted or committed. In governmental funds other than the General Fund, assigned fund balance represents the remaining amount that is not restricted or committed. In the General Fund, the School Board has authorized the Division Superintendent to assign fund balance.

Unassigned – is the residual classification for the School Division’s General Fund and includes all spendable amounts not contained in other classifications.

The School Board’s policy is to apply expenditures against restricted resources first when either restricted or unrestricted amounts are available. Within unrestricted fund balance, it is the School Division’s policy to apply expenditures against committed amounts first, followed by assigned, and then unassigned amounts. It is possible for the non-general funds to have a negative unassigned fund balance when non-spendable and restricted amounts exceed the positive fund balance for that fund.

ADOPTED: December 15, 2014
PURCHASING AUTHORITY

Procurement of all goods and services by the School Board and all of its employees shall be made pursuant to the York County Ordinance on centralized purchasing policy and the policy’s implementing regulations.

In school division procurement the superintendent or his/her designee shall be the School Board’s designee for any action or authority assigned to the “Approving Authority’s designee” in the centralized purchasing policy.

All personnel in the division who desire to purchase equipment and supplies shall follow the established procurement procedures for the issuance of a requisition.

Internal Controls

The superintendent, or his/her designee, shall establish appropriate procedures for internal accounting controls.

Purchasing and Contracting

It is the policy of the York County School Board to encourage full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting to realize the economies resulting therefrom; and to seek maximum educational value for every dollar expended.

REVISED: February 24, 1992; December 12, 2011

CROSS REFERENCES: DGC School Activity Funds
DGD Funds for Instructional Materials and Office Supplies
DJB Petty cash Funds
PETTY CASH FUNDS

The School Board authorizes maintenance of one petty cash fund in the superintendent’s office. The fund will never exceed six hundred dollars ($600) and will be managed by the Clerk of the Board.

The clerk of the school board shall report payments from petty cash funds to the school board or to any appointed agent of the school board for approval and reimbursement promptly after any claim has been paid.

A bond in the amount of not less than $4,000.00 will be required for each person distributing petty cash funds, but no additional bond shall be required of any person already bonded in the required amount.

ADOPTED: June 20, 1988
REVISED: April 29, 1996; December 15, 2008; December 12, 2011
RESTATEMENT: June 26, 2000; August 22, 2005, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 22.1-123.
VENDOR RELATIONS

Access to School Premises

In order that a teacher may give his undivided attention to his class, no salesmen or commercial representatives will be given permission to call upon teachers during class hours. Where authorized, such contacts will be limited to appointments after the close of the regular school day and arranged through the school principal. No vendor, agent, or sales representative may enter the schools to advertise or sell goods or services to employees or students except as provided herein. Anyone found soliciting goods or services to students or employees in the schools or on school property during school hours without authorization shall be subject to legal action.

Vendors are not permitted to make appointments with individual School Board employees without the permission of the principal or the superintendent or his/her designee. No vendor is permitted to sell, arrange demonstrations of products or services, or take orders for goods or services without prior authorization from the principal or superintendent or his/her designee.

In order to limit the demands upon the time of the principals to proper purposes, salesmen, agents and commercial representatives will be required to have a letter of permission from the superintendent or his/her designee prior to conducting business with the principal. Letters that have been issued in the past may be presumed to have expired on June 30th of each year and new ones will be required with each new school year.

This does not prevent authorized representatives of firms regularly supplying goods and services to the school division from having access to the schools in the course of their routine business duties.

Prohibition on Solicitation or Acceptance of Gifts

No employee with responsibility for a procurement transaction may request, accept, or agree to accept from a bidder, offeror, contractor or subcontractor anything of more than minimal value unless consideration of substantially equal or greater value is exchanged.

Disclosure of Subsequent Employment

No employee or former employee with official responsibility for procurement transactions may accept employment with any bidder, offeror or contractor with whom the employee or former employee dealt in an official capacity concerning procurement transactions for a period of one year from the end of employment by the School Board unless the employee or former employee provides written notification to the division prior to commencement of employment by that bidder, offeror or contractor.
PAYMENT PROCEDURES

School Board

The superintendent is directed to organize and to administer a system for recording receipts and payment of goods and services. The payment system shall provide for a proper recording and prompt payment of all transactions and shall be in accordance with generally accepted accounting principles and regulations of all government agencies. To the extent that the York County ordinances on centralized purchasing allows approval of purchases by the approving authority’s designee, approval of all payments shall be authorized by the agent or deputy agent of the Board, who shall be appointed annually by the Board to serve in this capacity. The services of the county central accounting department will be utilized to issue checks for claims arising from financial commitments of the School Board. Accurate records of payment of claims and day to day position of all budget items will be available in the School Board Office.

The superintendent will certify to the Board all claims for approval. Advantage should be taken of discounts for prompt payment of all obligations. Certification of claims will normally be presented to the School Board on a monthly basis.

Payment of each claim shall be ordered or authorized by a warrant drawn on the treasurer or other officer charged by law with the responsibility for the receipt, custody and disbursement of the funds of the School Board. The face of the warrant shall state the purpose or service for which such payment is drawn and the date of the order entered or authority granted by the School Board.

Fiscal Agent

Any such agent or deputy agent must furnish a corporate surety bond. The School Board shall set the amount of such bond or bonds and the premium therefore shall be paid out of funds made available to the School Board.

Special Warrants

The York County School Board may provide, by resolution, for the drawing of special warrants in payment of compensation, when such compensation has been earned and is due, for

(i) all employees under written contract,
(ii) all other employees whose rates of pay have been established by the School Board or its properly delegated agent, upon receipt of certified time sheets or other evidence of service performed, and
(iii) for payment on contracts for school construction projects according to the terms of such contracts.
PAYROLL PROCEDURES

Employees shall be paid pursuant to the School Board’s Pay Plan. The salary schedules in the pay plan will be approved by the School Board annually. Funding for salaries and other payments to employees for services rendered shall be authorized as a part of the annual operating budget. The school division will maintain records that accurately reflect the compensation and related benefits of each employee.

The superintendent, by regulation, shall establish appropriate procedures to pay employees earned salaries in a timely and accurate manner. Such superintendent regulation shall also ensure compliance with governing state and federal statutes and regulations.

ADOPTED: June 20, 1988
REVISED: June 26, 2000; December 12, 2011

CROSS REFERENCES: DK Payment Procedures
DLB Salary Deductions
Federal and State taxes will be automatically deducted from each employee's paycheck based on the most recent withholding statement provided by the employee. In the absence of a withholding statement, deductions will be made based on federal and/or State tax regulations.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014
EXPENSE REIMBURSEMENTS

The School Board encourages attendance and participation of school personnel at professional meetings. The purpose of this policy is to provide the staff with opportunities to improve their work skills and to maintain high morale.

It shall be the duty of each budget holder (staff member with supervisory control for expending funds in an assigned account) to examine all requests for reimbursement for which they are responsible. All such expenditures shall be necessary and reasonable for the efficient and effective operation of the school division.

Reimbursement for lodging and meals on out of county assignments will not exceed the reasonable cost of the room and meals. In those cases where costs are excessive, proper justification and explanation will be required before reimbursement.

Travel allowances will be provided to employees who must travel on School Board business and use their private automobile. The travel allowance for reimbursement will be the standard mileage rate per mile allowed by the Internal Revenue Service (IRS) for business travel. If at any time the IRS deems it necessary to adjust the standard mileage reimbursement rate the York County School Board rate will automatically adjust to the new IRS rate.

Reimbursement requests should be submitted on a monthly or quarterly basis. Receipts for all expenditures except car mileage must be attached to the reimbursement form before items can be considered reimbursable. If receipts for expenses cannot be obtained, explanations are to be attached, i.e., tips and taxi fares. Alcoholic beverages will not be reimbursed. The Chair will serve as approval authority for all travel reimbursement requests of Board members and of the superintendent. The Vice-Chair will serve as approval authority for all travel reimbursement requests of the School Board Chair.

ADOPTED: June 20, 1988
REVISED: May 21, 1990; January 8, 2001; December 12, 2011
CASH IN SCHOOL BUILDINGS

Teachers and other school personnel who come into possession of cash in connection with school activities will not leave the money unattended. All school personnel in possession of cash shall turn it over to the principal’s office for safe-keeping and proper accounting in accordance with the Student Activity Funds Manual.

No monies will be left at any time in any area of any school building with exception of the principal’s office. If any monies are kept overnight in the schools, it is at the risk of the principal. All funds must be deposited in a regular school account in a bank. The principal will ensure that any loss experienced is repaid by the end of the school year in which the loss occurred.

ADOPTED:       June 20, 1988
REVISED:        December 12, 2011
CROSS REFERENCE: DGC School Activity Funds
DISPOSAL OF SURPLUS ITEMS

The school division shall apply trade-in allowances on equipment to be replaced against the purchase cost of the new equipment whenever possible.

The school division may dispose of equipment having no trade-in value in accordance with Central Purchasing policies and procedures.

If reasonable attempts through the bidding or direct sales process to dispose of the items are unsuccessful, then the superintendent is authorized to arrange for their disposal.

Obsolete educational technology hardware and software that is being replaced pursuant to Va. Code § 22.1-199.1(B)(4) may be donated to other school divisions, to students, as provided in Board of Education guidelines, and to preschool programs in the Commonwealth. In addition, the school board may donate such obsolete educational technology hardware and software and other obsolete personal property to a Virginia nonprofit organization which is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

ADOPTED: December 12, 2011
RESTATEMENT: December 15, 2014
NON-LOCALLY FUNDED PROGRAMS

In order to provide the best educational opportunities possible for children of the school division, the School Board will seek as many sources of revenue as possible to supplement the funds provided through local appropriation and the basic aid offered by the state.

To ensure coordination and to avoid confusion in developing proposals and making application for specially funded programs, the superintendent will establish standard procedures for the preparation of proposals and their review. The superintendent shall also ensure that none of the conditions of acceptance is in conflict with the policies of the Board, the objectives of the division, or state or federal law.

ADOPTED: April 29, 1996
REVISED: December 12, 2011

CROSS REFERENCES: AE School Division Goals and Objectives
KH Public Gifts to the Schools
PERSONAL USE OF PUBLIC ASSETS

For purposes of this section, "public assets" means personal property belonging to or paid for by the Commonwealth, or any city, town, county, or any other political subdivision, or the labor of any person other than the accused that is paid for by the Commonwealth, or any city, town, county, or any other political subdivision.

School Board employees are prohibited, except when lawfully authorized, to use or permit the use of public assets for private or personal purposes unrelated to the duties and office of the employee or any other legitimate government interest.

ADOPTED: December 15, 2008
RESTATEMENT: December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 18.2-112.1
REAL PROPERTY

The School Board shall acquire and dispose of real property in accordance with existing statutes.

As the need arises, the superintendent shall recommend, with the advice of the County Attorney for the Board’s approval: conveyance of an easement on school division realty; adjustment of boundary lines; conveyance of realty in trust to secure loans; the lease of real property, from either a private owner or public body, for school division purposes; and the lease of school realty to either a private party or public body for no more than three years, unless good cause is shown. Exceptions to the three-year lease limitation may be granted to a lessee in yearly increments with no more than two yearly extensions. Lease agreements resulting from the Request for Proposal process are exempt from the three-year limitation.

The superintendent shall establish regulations for the lease of school division buildings pursuant to the School Board’s policy on use of such buildings for other than school purposes. See School Board Policy File KG.

REVISED: May 18, 1992; April 29, 1996; October 26, 2009, December 15, 2014

RESTATEMENT: June 26, 2000; August 22, 2005; October 22, 2007; December 12, 2011

RISK MANAGEMENT

The School Board desires to lessen the potential loss due to damage to property and its associated expenses, liability to third parties, and injury to employees. Accordingly, it is the policy of the School Board that:

1. The overall responsibility for the risk management of the School Division rests with the superintendent.

2. The superintendent or his/her designee shall serve as coordinator of the risk management effort.

3. The coordinator of the risk management effort shall:
   a. undertake reasonable action which will lessen the possibility of loss or injury in the workplace to all employees;
   b. identify systematically loss exposures which can have an adverse effect on the material well-being of the School Board or its employees or students;
   c. when possible and financially practical, procure insurance to compensate for losses which in his judgment would adversely affect the School Board;
   d. annually submit to the School Board a report on the status of the School Division’s risk management program.

ADOPTED: March 15, 1993
REVISED: November 21, 1994
RESTATEMENT: November 20, 2000; August 22, 2005; December 15, 2008; December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78

CROSS REFERENCES: DJB Petty Cash Funds
DZA Insurance Coverage
INSURANCE COVERAGE

It is the policy of the School Board to procure insurance for liability and property damage as recommended by the superintendent with the assistance of a risk management consultant. Such insurance shall consist of, but not be limited to the following categories of property and liability insurance. Property: general property; scheduled property; computer hardware; money and securities; employees dishonesty; and motor vehicles. Liability: worker’s compensation; liability related to motor vehicle operation; liability to non-employees unrelated to motor vehicle operation; School Board legal liability; fiduciary liability, and excess liability.

The School Board will provide a blanket faithful performance bond covering all employees, volunteers, and elected officials while acting in a fiduciary capacity.

To minimize loss to the School Board, the superintendent shall administer worker’s compensation insurance coverage by an efficient process which reports on job injuries to employees quickly and monitors employees’ recovery to full employment status in a comprehensive and timely manner. The superintendent shall implement this policy by appropriate means which are coordinated with carrier of the worker’s compensation insurance.

ADOPTED:       June 20, 1988
REVISED:       April 29, 1996
RESTATEMENT: June 26, 2000; August 22, 2005; December 15, 2008; December 12, 2011, December 15, 2014
LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-76, 22.1-84
CROSS REFERENCES: DJB Petty Cash Funds
                  DZ Risk Management
REIMBURSEMENT FOR PROPERTY LOSS OR DAMAGE

The School Board will reimburse an employee for any loss, damage or destruction of clothing or personal property of the employee sustained while on duty in the school on the school premises or at a school sponsored activity when loss is not covered by individual or School Board insurance policies and the employee’s conduct has not contributed to the loss. If repair cannot be economically made, then reimbursement will be based upon replacement cost, as approved by the Superintendent or his designee. If the amount of loss exceeds $200, then reimbursement in excess of that amount will be made only with the express approval of the School Board and on such terms as the Board specifies.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; March 25, 2002; May 22, 2007
RESTATEMENT: November 22, 2010; December 12, 2011, December 15, 2014
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SUPPORT SERVICES

The non-instructional operations of the school division are an important component of the educational process and support the instructional program. In supporting teachers and students involved in the program of studies, the Division shall attend to the physical comfort and safety of staff and students. Subject to budget limitations, the Division will also provide schools with the equipment, systems and supplies required to deliver the program of studies. Because the Board must discharge its duties with limited resources, staff will plan and manage public funds and physical resources to attain the optimum value for each dollar spent in the procurement of equipment, systems and consumable supplies. Maintenance of the physical plant will be managed to make optimum use of buildings and equipment for the longest practicable period. In carrying out this support effort, the Division Superintendent shall undertake implementation of modern management software systems and communications channels that optimize staff productivity and minimize the waste of resources.

ADOPTED: April 18, 1994
REVISED: November 21, 1994; May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005

SCHOOL CRISIS, EMERGENCY MANAGEMENT, AND MEDICAL EMERGENCY RESPONSE PLAN

Annually each school will develop a written school crisis, emergency management and medical emergency response plan. Division staff will annually review each school’s plan. The School Board has the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School Safety.

Each school will annually conduct school safety audits as defined below. The results of such school safety audits will be made public within 90 days of completion. The school board may withhold or limit the release of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. Each school will maintain a copy of the school’s safety audit, which may exclude such security plans and vulnerability assessment components, within the office of the school principal and will make a copy of such report available for review upon written request.

“School crisis, emergency management, and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, as well as current contact information for both.

“School safety audit” means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses will include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board’s standards for student conduct.

Each school will maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections will be determined by the local school board in consultation with the local health and fire departments. In addition, the school administration will:

1. equip all exit doors with panic hardware as required by the Uniform Statewide Building Code (13 VAC 5-61-10 et seq.); and
2. conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term. No fire drills will
be conducted during periods of mandatory testing required by the Board of Education. Evacuation routes for students shall be posted in each room. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year.

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

In addition, the school administration will ensure that the school has:

1. written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior. The plan will be outlined in the student handbook and discussed with staff and students during the first week of each school year;
2. space for the proper care of students who become ill; and
3. a written procedure for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
4. written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

Incidents and accidents at industrial facilities such as the Surry Power Station and Newport News Waterworks treatment plants may necessitate a wide-area response, which directly affects schools and the school bus fleet. York County responds pursuant to the County's Emergency Operations Plan. A terrorist act involving radiological contamination raises the same type of public health and safety issues presented by an industrial accident at the Surry Power Station. Consequently, the York County emergency response plan for a Surry Power Station accident will be the basic plan for responding to a terrorist radiological attack in York County. It is the policy of the Board to cooperate fully in the maintenance of, training in and implementation of the York County Emergency Operations Plan. The Division Superintendent shall implement this policy by appropriate measures to ensure good coordination of the Division’s response to an industrial accident.

The threat of or actual use of deadly force in a school or on school grounds constitutes a crisis that must be managed by a coordinated response by School Board employees, the York County Sheriff’s Office, and the York County Department of Fire and Life Safety. Accordingly, the Board shall maintain with the Sheriff and with the York County Board of Supervisors a formal agreement under which appropriate planning for this contingency can be accomplished.

Responses to fires in Division buildings shall be coordinated with the York County Department of Fire & Life Safety. The Division Superintendent shall give priority to maintaining on-scene firefighting equipment and fire alarm systems that are based on current technology.

The totality of the Division’s response to emergencies shall be promulgated by Superintendent's Regulations. Under certain circumstances various public safety agencies may need to coordinate their response to an emergency with School Board employees in a school. Planning such coordination shall be effected by written agreements between the Board and the appropriate agencies.
BUILDINGS AND GROUNDS INSPECTION

The School Board is responsible for the maintenance of the property of the school division. In order to fulfill this responsibility, the School Board will cause the schools to be inspected at reasonably frequent intervals. Inspections required by law will be performed as required by law.

Annually, the results of inspections will be reported to the School Board in the Ten-Year Facilities Master Plan.

ADOPTED: June 11, 2012

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 2.2-1165, 22.1-79(3); 8 VAC 20-131-260.

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REPORTING OF HAZARDS

Any employee who discovers a dangerous condition should report the condition immediately to his or her supervisor, the Division Superintendent, or his/her designee.

The Division Superintendent shall name a designee to evaluate and label toxicity of all art materials used in the division in accordance with criteria established by the Virginia Department of Education. All materials which meet the criteria as toxic shall be so labeled. Such materials will not be used in kindergarten through grade 5.

ADOPTED: June 11, 2012

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-274.1; 8 VAC 20-530-10 et seq.

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POSSIBLE EXPOSURE TO VIRAL INFECTIONS

Upon notification by a school employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the Division Superintendent shall contact the local health director who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure.

The Division Superintendent shall share these recommendations with the school employee.

The Division Superintendent and the school employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in section 32.1-35 et seq. of the Code of Virginia.

Whenever any school board employee is directly exposed to body fluids of any person in a manner which may, according to the current guidelines of the Centers for Disease Control, transmit human immunodeficiency virus or hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the school board employee who was exposed. In other than emergency situations, it shall be the responsibility of the school board employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

If the person whose blood specimen is sought for testing is a minor, consent for obtaining such specimen shall be obtained from the parent, guardian, or person standing in loco parentis of such minor prior to initiating such testing. If the parent or guardian or person standing in loco parentis withholds such consent, or is not reasonably available, the person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided or, in the case of a nonresident, the county or city where the school board has its principal office, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

Whenever any person is directly exposed to the body fluids of a school board employee in a manner that may, according to the then current guidelines of the Centers for Disease Control, transmit human immunodeficiency virus or hepatitis B or C viruses, the school board employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. The school board employee shall also be deemed to have consented to the release of such test results to the person.

Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the county or city where the
school board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his designee prior to entering any testing order. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

ADOPTED: June 11, 2012

FIRST AID/CPR CERTIFIED PERSONNEL

The Board is not a health care provider and provides clinic staff in schools only to provide first aid, to administer medication as required by prescription, to participate in and monitor individual student health plans, and to otherwise support delivery of the program of studies in the school. In school buildings with an instructional and administrative staff of ten or more, there shall be at least two employees who have current certification in cardiopulmonary resuscitation or have received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. If one or more students diagnosed as having diabetes attend such school, there shall be at least two employees who have been trained in the administration of insulin and glucagon.

In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least one employee who has current certification in cardiopulmonary resuscitation or has received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. If one or more students diagnosed as having diabetes attend such school, there shall be at least one employee who has been trained in the administration of insulin and glucagon.

When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration of insulin or administer glucagon. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagon.

ADOPTED: November 21, 1994
REVISED: August 26, 2002; May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005

PERSONNEL TRAINING-VIRAL INFECTIONS

All school personnel having direct contact with students shall receive appropriate training in the etiology, prevention, transmission modes, and effects of blood-borne pathogens, specifically, hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia Occupational Safety and Health Program.

ADOPTED: June 11, 2012

LEGAL REFERENCE: Code of Virginia, § 22.1-271.3.

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FIRE DRILLS

The Division Superintendent shall ensure statutory requirements for fire drills are satisfied in a timely and efficient manner. Each school principal shall maintain a fire safety plan appropriate to the building. There will be a fire drill at least once every week during the first twenty school days of each session, and more often if necessary, in order that pupils may be thoroughly practiced in such drills. During the remainder of the school sessions, fire drills shall be held at least monthly. No fire drills will be conducted during periods of mandatory testing required by the Board of Education.

ADOPTED: November 21, 1994
REVISED: May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005

TORNADO DRILLS

There will be at least one tornado drill every school year, in order that pupils may be thoroughly practiced in such drills.

ADOPTED: June 11, 2012


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SCHOOL CLOSINGS

Severe acts of nature may occur at any time, but storms that affect occupancy of schools must be addressed expressly. Hurricanes may prompt York County officials to implement the County’s emergency plan in which certain schools are designated as shelters and may require the closing of certain schools. Extreme weather conditions or any other warranted emergency such as epidemic, war, terrorist attack or other disaster could justify emergency school closings. Additionally, tornadoes, severe thunder storms and snow and ice storms may necessitate emergency action during the school day to ensure the safety of students and School Board employees. The Division Superintendent or designee may order the closing, the delay in opening or the early dismissal of any or all schools in order to protect the safety and welfare of the students and staff.

It is the policy of the Board to maintain detailed plans for coordinating Division action with other public safety agencies in dealing with dangerous acts of nature. Further, it is the policy of the Board that detailed procedures shall be maintained in each school to protect students, School Board employees and members of the general public upon the onset of severe weather conditions. The Division Superintendent shall implement this policy with appropriate measures and will issue regulations for handling severe weather events.

Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract and division policy. During adverse weather or emergency conditions, however, employees will follow guidelines related to work schedules.

ADOPTED: June 20, 1988
REVISED: June 24, 1991; August 26, 2002; May 24, 2010; June 11, 2012
RESTATEMENT: December 14, 1992; November 21, 1994; November 20, 2000; September 26, 2005

BOMB THREATS

As reported by the Virginia State Police, public schools are the most frequent target of bomb threats. Often, the threats are originated by juveniles. Nevertheless, it is the policy of the Board that each bomb threat shall be treated with caution and seriousness. The Division Superintendent shall establish a detailed plan to respond to bomb threats against Division buildings and equipment. The plan shall identify the roles not only of School Board employees but also of public safety agencies that would respond to reported bomb threats. The Board supports criminal prosecution of individuals making bomb threats.

ADOPTED: November 21, 1994
REVISED: May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005

BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE

The Division Superintendent will have the general responsibility for the care, custody, and safekeeping of all school property. Substantial work, as defined in the Capital Improvements Program, shall be scheduled in the Capital Improvements Program as more fully discussed in Section F. Smaller projects can be funded by the annual Operating Budget as recommended by the Division Superintendent.

Custodial services provided to all schools and office buildings shall provide for a clean and attractive learning and working environment. Custodial services can be provided by School Board employees or by a contractor upon recommendation of the Division Superintendent. The principal of each school is deemed the primary client of custodial services provided to the school, and as such, shall give timely notice of deficient service to either the School Board employee managing custodial services or to the private contractor.

The school division shall maintain documentation of any pesticide application that includes the target pest, the formulation applied, and the specific location of the application.

ADOPTED: June 11, 2012

INVENTORY AND REPORTING OF LOSS OR DAMAGE

INVENTORIES

The Division Superintendent shall devise an adequate system of inventory of school property. Such inventory shall be available to identify items for the purpose of insurance and to control the loss of property.

The inventory shall include, but not be limited to the following: buildings, movable equipment, vehicles, and all other items of significant value. Each school shall keep a complete inventory of all equipment, listing make, source, date of purchase, model, serial number, and other identifying data.

REPORTING LOSSES

All loss of or damage to school property shall be promptly reported to the Division Superintendent or designee.

ADOPTED: June 11, 2012


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VANDALISM

The School Board urges staff, students and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

The School Board may institute action and recover from the parents or either of them of any minor living with such parents or either of them for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor.

In addition, a student who damages or destroys public property will be subject to whatever disciplinary action is deemed necessary and advisable by the school principal.

ADOPTED: June 11, 2012

STUDENT TRANSPORTATION SERVICES

The School Board may provide for the transportation of students. All conditions regarding the transportation of students stipulated by the Code of Virginia, regulations of the Virginia Board of Education, and policies and regulations of the School Board shall be met.

Behavior of students on school buses traveling on public highways bears directly not only on the safety of the school bus in which they are riding but also on motorists in near proximity to the bus. Accordingly, clear rules for student conduct on buses shall be publicized and incorporated in the Student Conduct Code. Students may be suspended from using school transportation services for violations of the Student Code of Conduct or when the student endangers the health, safety and welfare of other riders. In such cases, the parent or guardian shall be responsible for transporting the student to school. Further, the Division Superintendent shall provide appropriate instruction for students on proper school bus behavior.

The Division Superintendent is authorized to require children residing within a specified geographic area to walk to their assigned school. The primary criteria for establishing a walking area is the safety of children in transit to school. Crossing guards, employed by the Board, shall be posted, if necessary, at designated areas to provide safe crossing of streets. All walking zones shall be planned with the benefit of advice from parents affected.

ADOPTED: June 11, 2012

SCHOOL BUS SCHEDULING AND ROUTING

School bus routes shall be reviewed at least once each year for safety hazards, fuel conservation, and to assure maximum use of buses. The schedule shall show the time the bus starts in the morning, the time it leaves each point at which pupils are picked up, and the time of arrival at school. One copy of such schedule shall be kept in the bus and one copy shall be kept in the office of the Division superintendent or designee. Division staff shall evaluate the safety of pupils at bus stops periodically and shall, at the request of the School Board, report the results annually to the school board.

VEHICULAR TRAFFIC

Vehicular traffic, including parking, and pedestrian traffic at each school site will conform to a site plan developed by the principal, with the assistance of support staff. The plan will provide for faculty, visitor, and, where appropriate, student parking on existing pavement. The plan will also provide for the control of traffic during the hours when school buses drop off and pick up students. Principals will take appropriate action each school year to familiarize members of the entire school community with the limitations imposed on parking by fire-lane restrictions.

A written vehicular and pedestrian traffic control plan for each school shall be reviewed annually for safety hazards. All new school site plans shall include provisions that promote vehicular and pedestrian safety.

Under the direction of the Division Superintendent, the Associate Director of Transportation and Warehouse Operations will establish each bus route before the beginning of the school session. Necessary adjustments will be made after schools open. The first two weeks of the school session are important. The Associate Director of Transportation and Warehouse Operations shall ensure that bus drivers adhere to the following procedure:

1. Not later than the 10th day of the school year each driver will make recommendations to the Associate Director of Transportation and Warehouse Operations about the location and time of each stop on their route in accordance with guidelines and safety factors.
2. On the 11th day, the driver will submit a copy of the pick-up schedule to the Associate Director of Transportation and Warehouse Operations and keep one readily available in the bus.
3. These guidelines will be followed:
   a. Bus service will not be provided on dead-end streets or roads that are less than .25 of a mile from a principal road or street. The Board will provide bus service only on roads accepted for maintenance by the Virginia Department of Transportation. The Board can grant waivers from this condition in the following cases:
      1) In a subdivision where the developer has constructed roads to VDOT specifications but has not yet conveyed the roads to the Commonwealth of Virginia, bus service can be authorized if the developer executes a waiver prepared by the County Attorney.
      2) A condominium or apartment community can secure bus service on its roads if the homeowners’ association or property owner authorizes its officers to execute a waiver prepared by the County Attorney.
   In each case the owner shall waive all claims for property damage arising from school bus operation on the subject roads.
b. If not in a designated non-transportation zone, secondary students can be required to walk up to .4 of a mile and elementary students .25 of a mile. When weather requires operation of windshield wipers, school bus drivers are authorized to make additional stops as prudence dictates.

c. Bus stops will be so placed as to keep a distance of .1 of a mile between stops.

d. Safety must be considered in establishing bus stops. The Division Superintendent and/or the Associate Director of Transportation and Warehouse Operations or their designees have the authority to adjust bus stops if it is determined a safety problem exists.

AFTER-SCHOOL ACTIVITIES BUS SERVICE
The Division Superintendent may provide bus service from school to home after a regular school day for students participating in extra-curricular activities or organized athletic activities at the school. Such service shall be subject to budgetary limitations. However, once the schedule for such service is posted, the scheduling of this bus service shall be assigned a higher priority than the bus trips discussed below. Activity bus routes shall be planned in an efficient pattern and students may be required to walk up to one (1) mile between the activity bus and home.

For good cause the Division Superintendent, using the following criteria, can waive standard specifications for an activity bus route at the request of a parent/guardian:

- Any change to an activity bus route shall have no adverse effect on transportation services provided to other students riding the affected activity bus.
- The student for whom the proposed bus route change is being requested must be a passenger on the activity bus as a direct consequence of that student’s participation in an authorized school activity or program.
- The requested change in the activity bus route must be for the duration of the school activity/program during the school year.
- No activity bus will be routed outside York County to accommodate the change.
- The details of the approved modified activity bus route will be stated in a written agreement signed by the Division Superintendent and the parent requesting the modification.

EXTRA-CURRICULAR/ATHLETIC/FIELD TRIPS
School bus transportation may be made available as requested by a principal, subject to operating budget funding limitations, for field trips during the course of the school day; for extra-curricular trips outside regular school hours; and for athletic team trips to competitive events away from school. The Division Superintendent shall provide by appropriate means management of transportation resources to offer such bus trips. All overnight trips must be approved expressly by the Board, regardless of the use of a school bus or a private contractor bus.

ADOPTED: June 11, 2012

SCHOOL BUS SAFETY PROGRAM

The primary criterion to evaluate all aspects of school bus operation is safety of the students. The Division Superintendent shall manage transporting students accordingly. All school buses and other vehicles owned by the school division shall be inspected and maintained according to Department of Education regulations and sound engineering practices to ensure safe and reliable vehicles are always available to transport students.

Maintaining school buses in a safe and reliable condition is the primary function of the Division's vehicle maintenance effort. The Division Superintendent can fulfill this assignment with School Board employees, or with an appropriate maintenance agreement with private contractor or other public entity. The decision to procure new buses to replace old units shall be based on sound business principles rather than a rote formula. The cost of replacement buses shall be carried in the annual operating budget. Maintenance of other Division vehicles may be performed in the same manner as provided for school buses.

Properly trained school bus drivers are essential to safe school bus operations. Accordingly, the Division Superintendent shall provide a continuing training program for school bus drivers that satisfies not only Department of Education regulations on student transportation but also ensures drivers are proficient in dealing with the range of circumstances in and outside of school buses that affect the safe transportation of students.

Students who ride the bus will be instructed in rider safety and practice emergency exit drills as prescribed by the Code of Virginia.

All accidents involving school buses, regardless of the amount of damage involved, must be reported to the transportation supervisor.

To enhance effective response to a school bus emergency, the Division Superintendent shall establish procedures that coordinate staff response with the on-scene action of law enforcement and emergency medical agencies. Such procedures shall ensure rapid and accurate dissemination of information to the parents of any student affected by a school bus emergency.

No person shall use any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this section shall be construed to prohibit the use of two-way radio devices authorized by the owner of the school bus.

ADOPTED: November 21, 1994
REVISED: May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005
SPECIAL USE OF SCHOOL BUSES

The use of school buses for purposes other than transporting children to and from school for the regular school hours and for extracurricular activities is permitted with prior approval of the Division Superintendent and in accordance with regulations pertaining to field trips.

In addition, the School Board may enter into agreements with its appropriating body, or any state agency or any federal agency established or identified pursuant to 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such body or agency for public purposes, including transportation for the elderly. Each such agreement shall provide for reimbursing the school board in full for the proportionate share of any and all costs, both fixed and variable, of such buses incurred by such school board attributable to the use of such buses pursuant to such agreement. The appropriating body, or state or federal agency, shall indemnify and hold harmless the school board from any and all liability of the school board by virtue of use of such buses pursuant to an agreement.

County and state agencies may request the use of school buses through written notice to the Board. The Division Superintendent will make a recommendation on each request, and each will be considered individually by the Board and acted on accordingly. Those agencies receiving approval for use of school buses will be required to complete the attached agreement which is made part of this policy statement.

The Board requires that said use can only be considered if:

1. The use will not tax the regular programs of the Division.
2. The Board will receive adequate reimbursement for operating, personnel, capital depreciation, insurance fees, or other unexpected costs incurred.
3. The Board will be held harmless for all liability by virtue of use of the school buses for other governmental agency use.
4. The requesting agency will meet all the requirements of the Board’s standard agreement.
5. The requesting agency must identify, in writing, the persons legally authorized to sign the attached agreement for submission to the Board together with the request for use of the subject buses.
6. The lettered identification and school bus traffic warning lights on the front and rear of such bus are covered with some opaque detachable material as outlined in the Code of Virginia 22.1-183.

ADOPTED: June 20, 1988
REVISED: February 27, 1995; May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005
FOOD SERVICE MANAGEMENT

The Division Superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the Division Superintendent shall report to the School Board on the financial status of the division's food service operations.

The Division will offer lunch each day to elementary school students and on each full class day to secondary students. Students may bring a lunch from home and eat it during the designated lunch period in school. The Division will offer breakfast to students according to guidelines established by the federal government. Meals shall be prepared by School Board employees only or by a contractor hired upon the recommendation of the Division Superintendent. The Division Superintendent is authorized to initiate programs, consistent with federal and state laws and regulations, to optimize student participation in the school lunch program. Procurements shall comply with the York County Central Purchasing ordinance. Meal hours shall be specified by each school principal. The percent of participation by students in a particular school's lunch program shall be the primary criteria for evaluating the quality of that lunch program. However, the principal shall also provide periodic feedback to the Manager of Food Services and the Associate Director of School Administration.

No food items or prepared beverages from any other source will be offered to students in a school during the hours designated by the principal for meal service. Principals are authorized to operate snack and drink vending machines for students in their schools prior to commencement of classes and upon completion of meal service each day. Principals are also authorized to permit student organizations to conduct fund raising sales of snacks and drinks in a school after the completion of classes on any day.

ADOPTED: February 27, 1995
REVISED: November 20, 2000; September 26, 2005; May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005
MENUS, PRICES AND FREE AND REDUCED PRICE FOOD SERVICES

Meals will be both healthful and flavorful. Menus for meals offered to students shall comply with federal guidelines and with nutritional advice obtained by the Division Superintendent from other appropriate parties. Meals will be priced not for profit but to cover all operating costs of the food service program and to maintain the operating fund balance recommended by the Virginia Department of Education. Capital improvements to or construction of kitchens will be funded by the Capital Improvement Program and not by the food services operating budget. All prices charged by the food services program will be approved by the Board annually.

The York County School Division will provide free and reduced-price breakfasts, lunches, and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program, and the Special Milk Program.

Division staff will determine student eligibility based on guidelines established by federal law. Eligible students will be provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The Division Superintendent or designee will establish rules and procedures as needed to implement this policy.

The criteria for determining a student’s eligibility and the procedures for securing free and reduced-price meals and milk will be communicated at the beginning of each school year and provided to parents of all children in attendance at York County School Division public schools.

The students who participate in the free or reduced-cost meals and milk programs will not be overtly identified, distinguished, or served differently than other students.

ADOPTED: February 27, 1995
REVISED: June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005; May 24, 2010

FOOD SANITATION PROGRAM

The personnel and the facilities used for food services in the school division are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated by the State Board of Health.

ADOPTED: June 11, 2012

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 35.1-1; 12 VAC 5-421-10, et seq.

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REPRODUCTION OF COPYRIGHTED MATERIALS

The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce, and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The Division Superintendent is responsible for promoting an understanding of the applicable law among staff members and students.

The division encourages its staff and students to enrich the educational experience by making proper use of supplementary materials. However, each staff member and student is responsible for complying with copyright law and with any regulations or procedures developed by the Division Superintendent. Any employee or student who is uncertain as to whether reproducing or using copyrighted materials complies with the division procedures or is permissible under law should contact the school principal who will provide clarification and assist staff members and students in obtaining proper authorization to copy or use protected material when such authorization is required.

At no time will it be necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time will it be necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion.

ADOPTED: June 11, 2012

LEGAL REFERENCE: 17 U.S.C § 101 et seq.

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Printed material used by teachers in delivering the program of studies and other printed material used in administering the program of studies and managing the affairs of the Division will be prepared by staff when such action provides the needed material at the least cost. To attain effective management of this aspect of support, duplication of large volumes of material will be centralized as directed by the Division Superintendent. The budget for duplicating material will provide for consumable supplies, maintenance of machines, and lease or purchase expenses for machines. The decision to procure contracted printing services will be made on a case by case basis as directed by the Division Superintendent or designee.

ADOPTED: February 27, 1995  
REVISED: May 24, 2010  
RESTATEMENT: November 20, 2000; September 26, 2005; June 11, 2012  
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 15.2-2501.
WORKPLACE SAFETY

The Board seeks to maintain a work environment free of workplace violence or other security risks. Violence in the workplace poses a serious threat to the safety of employees, students and the public. All School Board employees are responsible for maintaining a workplace environment free of violence. The Board will not tolerate acts and behaviors that are likely to result in workplace violence. Incidents of violence among or between adults may include, but are not limited to, abusive language, hitting, shoving, threats of bodily harm, damage to property, brandishing of an object which may be used as a weapon, insubordination, and the sending of threatening, harassing or abusive, phone calls, e-mails, text messages and/or faxes. The Division Superintendent will establish procedures that minimize the threat of violence in the workplace and provide guidelines for responding promptly and effectively to incidents or threats of workplace violence.

The Board believes the primary means to prevent loss and minimize workers’ compensation liability within the School Division is maintaining a safe work place for all employees and ensuring all employees are well trained in the physical safety aspects of their assignments. The Board is committed to maintaining a safe and secure working and learning environment. Employees are prohibited from carrying, bringing, using or possessing any weapon, as defined in Virginia Code Section 18.2- 308.1, as amended, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school's principal or Division administrator. The Division Superintendent shall recommend to the Board appropriate personnel action, up to and including dismissal, for any employee violating this policy. The Division Superintendent, immediately upon notification of a violation, shall initiate action to bring the case to the Board for final disposition. All incidents involving the illegal possession of a firearm shall be reported in accordance with state law.

The Division Superintendent shall implement appropriate measures to promote the safety of teachers and students engaged in the program of studies, particularly in art, physical education, science and technology courses.

The Board will employ all reasonable methods to ensure the security of persons and property in the School Division. To this end the Division Superintendent shall implement appropriate procedures that minimize threats of harm to individuals while in York County schools, on school grounds and while attending school-sponsored events. Such procedures may include photo identification badges for School Board employees, control of keys to facilities, positive control of all visitors to schools, background checks of non-parent volunteers, contracting for security services, providing school resources officers, and use of technology, such as surveillance cameras and recorders, which minimize the potential for unlawful conduct on School Division property. The efforts enumerated above build on the foundation of the reliability of School Board employees. These employees are hired in accordance with statutes designed to enhance the safety of children in schools.

Regarding security of the physical plant and tangible assets, the Division Superintendent shall implement such procedures as deemed appropriate to minimize the potential for damage resulting from the failure of electrical and mechanical systems in unoccupied buildings, vandalism and larceny.

The Division Superintendent shall cause to be accomplished an annual school safety survey in accordance with statutory requirements for school safety audits.
WASTE MANAGEMENT

Resource conservation shall be an integral part of the Division's operation and the program of studies. The Division Superintendent shall affect, by appropriate regulations or other means, practices which reduce the waste stream, optimize recycling and maintain close coordination with similar activities in the York County government. Further, the concepts of waste reduction, recycling and resource conservation in general, shall be incorporated in the environmental education component of the program of studies. In its procurement activities, the Division shall encourage suppliers to make recyclable products available, and where financially feasible, purchase recycled products or products made from recycled material.

ADOPTED: February 27, 1995
REVISED: May 24, 2010
RESTATEMENT: November 20, 2000; September 26, 2005; June 11, 2012

WAREHOUSE AND PROPERTY SERVICES

Procurement of personal property and consumable commodities for use in the Division, other than consumables specified by the Division Superintendent for management by school principals, shall be coordinated through a warehouse operation established by the Division Superintendent. In addition to the usual shipping, receiving and distribution functions, the warehouse operation will also accommodate a textbook repository and a maintenance parts department, and will administer the personal property inventory system for the Division. The warehouse operation will also provide space for the Division archives under the supervision of the Division’s Records Manager. Space shall also be provided for receiving, secure storage and distribution of instructional testing materials.

ADOPTED: February 27, 1995
REVISED: May 24, 2010
RESTATEMENT: November 20, 2000; September 26, 2005

INFORMATION SERVICES

INFORMATION MANAGEMENT SYSTEM
Staff shall maintain durable, reliable and secure automated information management system in the Division to support both Board business and the program of studies. Applications operating on the systems shall be managed comprehensively in an integrated system to ensure compatibility and to realize the economies of scale of a networked system.

PROCUREMENT AND OPERATIONAL MANAGEMENT STANDARDS
The Division Superintendent shall provide detailed guidance on procurement and operation of systems, instructional applications and business applications. The Division Superintendent shall emphasize interoperability and the sharing of common data to the maximum extent practical among individual applications. Staff decisions on information management systems will be based on sound management principles and will reflect the state of proven computing technology.

INTERFACE WITH PUBLIC SYSTEMS
The networked system shall provide for access to the public Internet as appropriate based on business and instructional needs of the Division. Prior to implementation of any Internet-based instructional programming or business products, the Division Superintendent shall ensure staff appropriately assesses the programming or product’s compatibility with security protocols.

SECURITY
Loss of the network during a school day will have an immediate deleterious effect on the delivery of instruction in every school in the Division. Consequently, the networked system and applications will be managed so as to provide for protection of the system’s operability and protection of data from unauthorized access, from unauthorized modifications and from accidental corruptions. All information management decisions shall avoid compromising the integrity or security of the Division’s networks.

STUDENT INFORMATION SYSTEM
The Student Information System shall incorporate all relevant information for students currently enrolled in the Division. Security and accuracy of data are of the highest priority and shall be maintained in compliance with the Family Education Rights and Privacy Act (FERPA) and other applicable laws. Only with the approval of the Division Superintendent shall staff undertake to make material modifications to this system either with contractors or staff.

ADMINISTRATIVE APPLICATIONS
Administrative applications are those that are used to conduct all business outside the direct delivery of instruction in classrooms. Administrative applications handle all data related to the operation of the Division. The Division Superintendent can contract for the management of components of administrative applications with the County of York or with other public entities. However, personnel information shall be managed by a School Board employee. Only administrative applications authorized by the Division Superintendent shall be operated on Division equipment and networks.

INFORMATION SYSTEMS SUPPORT
TRAINING
1. Proficiency in word processing, spread sheet and other productivity type software applications are prerequisites for employment and promotion of administrative support personnel.
2. The Division Superintendent shall manage staff development to optimize staff proficiency in the use of all applications involved in the operation of the Division. Staff development on software applications shall be funded appropriately in relevant operating budget components each fiscal year. The Division Superintendent shall publish professional development guidelines for distinguishing maintenance requirements from training requirements.
3. Training by contractors or temporary employees may be used as appropriate.

PROCUREMENT AND MAINTENANCE
In procuring new instruction or administrative information systems and applications, the Division Superintendent shall assign substantial weight in the evaluation process to a proposal's maintenance package. In procuring instructional information systems, the cost of procurement shall include maintenance of the system by contractors when appropriate. The Division Superintendent shall have the authority to hire sufficient technical personnel to maintain components of instruction and administrative information systems which are unsuited to maintenance by contractors.

NETWORK SERVICES USE POLICY

INSTRUCTIONAL USE
The use of the Internet and similar network services in delivering the program of studies will be governed by appropriate instructional practices supervised by the Division Superintendent. Student access to the Internet and similar network services from Division facilities will be authorized as necessary to carry out the program of studies under the supervision of School Board employees. Specific guidance on using the Internet will be provided to all students on an annual basis by the Student Handbook and Code of Conduct.

ADMINISTRATIVE USE
School Board employees will have access to the Internet and similar network services from Division facilities for the purpose of conducting Board business. All Internet use will be subject to the following conditions:

1. All Internet use must be for legal purposes only. The Division computer equipment and communications services may not be used to send, receive, view or download illegal material via the Internet. Transmission of any material in violation of federal or state regulation is prohibited and will be dealt with according to criminal statutes.
2. No Internet use may infect computers owned by the Division with any virus.
3. School Board employees may use access to the Internet for personal business under the following conditions for personal use:
   • Internet use cannot interfere with official business.
   • Internet use cannot generate any cost to the Division.
   • Internet use cannot generate personal financial gain for the employee.

USE RESTRICTIONS
Employees are expressly prohibited from using the Internet for access to pornography and for instructions on making explosives. Additionally, while using the Internet, employees are expressly prohibited from using any language the employee would not use in person and that is otherwise prohibited by local, state or federal law. Examples of this type of language include threats to life, limb or personal property, or language that would be taken as sexual
harassment or as a sexual advance or discriminatory against race, creed, color or national origin gender, age or disability. Violation of this policy will subject the employee to disciplinary action, up to and including termination.

NETWORK PASSWORDS

Employees
Employees are issued a personal password for use in accessing the network services from Division facilities for the purposes of conducting Board business. The issued password is for the exclusive use of the employee to whom that password is issued. The password is not to be shared with other employees to include substitute teachers or students. Violation of this policy will subject the employee to disciplinary action, up to and including termination.

Students
Students may be issued a personal password for use in accessing the network services from Division facilities for the purposes of instruction and in support of the curriculum and Program of Studies. The issued password is for the exclusive use of the student to whom that password is issued. The password is not to be shared with other students, teachers, and staff employed by the division or persons outside of the division. Violation of this policy will subject the student to disciplinary action, up to and including expulsion.

TELECOMMUNICATIONS
Staff will manage resources devoted to telecommunications to provide current technology for the delivery of the program of studies and the management of the Division. Improvements will be effected through the annual operating budget or capital improvement program, as appropriate. Telephone service may be used by any School Board employee provided any telephone call generating a financial charge must be for the express purpose of conducting Division business. Staff shall monitor telecommunications systems as appropriate to minimize the possibility of unauthorized charges. The Division Superintendent shall provide detailed guidance to employees.

ADOPTED: February 27, 1995
REVISED: October 26, 1998; August 23, 1999; May 24, 2010; June 11, 2012
RESTATEMENT: November 20, 2000; September 26, 2005
MANDATED USE OF SCHOOL BOARD VEHICLES

From time to time the Division Superintendent may require School Board employees to commute to and from work in a vehicle owned by the Board. This arrangement permits the affected employee to respond to emergency service calls and to deal with other contingencies which could require the employee’s presence at a school or other site outside of regular working hours. The vehicle assigned to the employee in these circumstances is not for the employee’s personal use. The employee can use the vehicle, other than for commuting to and from work, only for official business outside of the regular workday. The only exemption to this use restriction is very minimal use, such as a stop on the employee’s commuting route.

ADOPTED: November 20, 2000
REVISED: May 24, 2010
RESTATEMENT: September 26, 2005; June 11, 2012
RECORDS MANAGEMENT

Management of all records in the Division shall comply both with Virginia statutes governing academic and Board records and with state and federal regulations for other types of records. Records shall be maintained in a lawful media that provides the greatest density and easiest access by available technology.

ADOPTED: February 27, 1995
REVISED: May 24, 2010
RESTATEMENT: November 20, 2000; September 26, 2005; June 11, 2012

LEGAL REFERENCE: Code of Virginia, Section 42.1-76, et seq.
SECTION F
**SECTION F - Facilities Development (Chapter 6)**

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FACILITIES DEVELOPMENT

Any educational program is influenced greatly by the environment within which it functions. The development of a quality educational program and school facilities which help to implement it must go hand in hand.

The School Board’s goal is to provide facilities of the kind and size that will best support and accommodate the division's educational program and the number of students enrolled.

The Division Superintendent shall recommend use of temporary classroom facilities only as an interim measure to deal with enrollment exceeding a school building’s current program capacity, as defined below or as a component of a renovation project to house students displaced temporarily by construction activity at the school.

The School Board will ensure that school buildings and associated facilities in the Division shall be maintained in good repair and a high degree of cleanliness to ensure therein a comfortable and safe environment for students and School Board employees.

The School Board will constantly strive to provide new and remodeled facilities that will offer the best possible physical environment for learning and teaching.

The Board aims specifically toward:

1. New buildings and renovations that will accommodate and facilitate those new organizational and instructional patterns that support the division's educational philosophy and instructional goals.

2. Meeting all safety requirements through the remodeling of older structures.

3. Providing such building renovations as needed to meet requirements on the availability of public school facilities to disabled persons.

4. Building design and construction that will lend themselves to low maintenance costs and the conservation of energy. These two factors will also be given special consideration in the renovation of buildings.

5. Decisions pertaining to educational specifications of new buildings and those undergoing extensive remodeling will be developed and with the viewpoints of teachers, students, and the community considered.

ADOPTED: June 11, 2012
FACILITIES PLANNING

The School Board is responsible for the regular operation and orderly development of all school facilities. The Board will concern itself with both short and long-range planning.

To achieve the goal(s) stated in File FA, the Division Superintendent shall recommend for employment persons deemed necessary to maintain facilities, to identify future needs and to plan for the construction or renovation of facilities.

The Division Superintendent shall include in the annual presentation of the proposed Ten-Year Facilities Master Plan projection of enrollment prepared by York County administrative staff. This projection shall be the basis of proposed school construction projects to handle enrollment increases that cannot be accommodated by adjustment of attendance zone boundary lines as discussed below. The Division Superintendent will explain any material difference between this projection and the County’s Comprehensive Plan projection and will discuss any planned action with the County Administrator to deal with material changes in projected enrollment.

The Board shall operate the number of schools necessary to deliver the approved program of instruction to enrolled students. The requisite number of schools is a function both of total enrollment in the Division and of the geographic distribution of enrolled students. Total enrollment is an independent variable in the planning process. However, attendance patterns shall, to the maximum extent possible, maintain an identifiable neighborhood in a single elementary school. Also, attendance patterns will, to the maximum extent possible, maintain discreet geographic areas of the County in the same secondary school attendance zone. Alternatively, the Board may direct the Division Superintendent to submit a recommendation regarding changes to the attendance zones, along with a description of feedback received through one or more public forums regarding possible changes to the attendance zones. The Board shall conduct a public hearing on the recommendation before approving any material change to attendance zone boundaries.

As necessary, the Board shall direct the Division Superintendent to appoint a representative advisory committee to review attendance zone boundaries and to recommend any changes deemed necessary. The Division Superintendent shall submit the recommendations, with comments, to the Board. The Board shall conduct a public hearing on the committee’s recommendations and the Division Superintendent’s comments before approving any material change to attendance zone boundaries.

In making recommendations for expansion of facilities or construction of new facilities, the Division Superintendent shall employ the following definitions.

1. **ORIGINAL PROGRAM CAPACITY** - The number of students used by the architect who designed an existing school building.

2. **CURRENT PROGRAM CAPACITY** - The number of students that can be enrolled in an existing building based on the approved program of instruction, special education programs and the related School Board approved utilization rates of classrooms and facilities in the building. Periodically the Division Superintendent, with the assistance of experts and other persons he deems appropriate, shall assess the current program capacities of all schools and the classroom and facilities utilization rates of secondary schools.
3. **SITE MAXIMUM CAPACITY** - The maximum number of students that can be enrolled in a building or buildings on a particular site as computed by the Department of Education site planning factors for elementary, middle and high schools.

4. **SITE PROGRAM CAPACITY** - The maximum number of students that can be enrolled in a building or buildings on a particular site if each building is constructed or expanded to the maximum current program capacity.

To provide stability of school attendance patterns and to minimize the cost of construction projects, necessary additional classroom capacity shall be realized by expanding existing school buildings when possible. Planning the construction of a new school building shall begin only when the Division Superintendent advises the Board that existing facilities cannot be expanded without degrading measurably the quality of education afforded students currently in schools.

The Board shall rely on the professional services of architects and professional engineers, as required, for detailed planning of specific projects. The Division Superintendent will direct architects to coordinate with building administrative staff to develop educational specifications before starting the design process. The specifications will include the needs for the project to meet educational and operational goals of the Board. Also, the Board may retain professional services over a period of time by an appropriate consulting contract for specific technical areas, e.g., roofs, asbestos abatement, architectural services of limited scope.

The Board shall procure, as provided by law, the services of contractors for projects scheduled in the Capital Improvements Plan. Also, any projects funded in the annual Operating Budget costing in excess of $15,000 will be completed by contractors except in those cases where the Division Superintendent directs School Board employees to accomplish the project. Building maintenance staff serves primarily to keep existing facilities in good repair as opposed to making substantial changes to facilities.

Planning to expand the physical plant of the Division shall conform to the York County Comprehensive Plan and to Virginia Department of Education regulations. In every case planning shall be formalized through incorporation of the particular project in the Capital Improvements Program.

New school facilities that provide services to the community at large, e.g., gymnasiums and playing fields, will be planned jointly with the York County Division of Parks and Recreation and the York County Parks and Recreation Advisory Board to allow construction and operation of facilities which can serve both students and citizens of York County.

Recommendations to the School Board will be supported by researched facts and figures that support the feasibility and need for construction and/or renovation.

To ensure maximum return for each tax dollar invested in facilities, the Board shall require the designer of any construction project to incorporate the use of equipment or construction techniques that provide the optimum combination of operating efficiency and cost effectiveness for a facility’s life cycle.

In new construction projects or major building renovation, the Board may retain the services of a value engineering firm to assess an architect’s construction plans prior to
publication of a project’s Invitation to Bid. The Invitation to Bid shall incorporate agreed action on the value assessment.

ADOPTED: June 11, 2012

PLAYGROUND EQUIPMENT

When any playground equipment is installed on School Board property the Board assumes ownership of that equipment unless specifically stated otherwise by agreement. For this reason the maintenance of the playground equipment installed by a school or community group will be the responsibility of the School Board.

Once installed on School Board property, division staff will have the responsibility to inspect the equipment on a regular basis, not less than monthly, and the authority, if such equipment is unsafe in any way, to order its repair or removal from the school property. Division staff shall also restrict or deny the use of such equipment until such time, in his or her opinion, it is restored to safe condition.

ADOPTED: June 11, 2012

EDUCATIONAL FACILITIES SPECIFICATIONS

To ensure that all new and remodeled facilities are designed to best implement the educational program, the Division Superintendent will provide for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications are detailed descriptions of:

1. All the activities that will take place in the building;

2. The curriculum to be housed in the building;

3. Specific architectural characteristics desired; and

4. The facilities needed, their equipment requirements and their space relationship to other facility elements.

In every case involving instructional space and associated facilities, function shall be identified and defined with the assistance of teachers and administrators of school buildings. Only after the Division Superintendent is satisfied with such definition will aesthetics be considered.

When educational specifications are prepared, an introductory section will also be included which will be devoted to a brief description of the community and the educational philosophy of the division. Consultants may be used in the development of educational specifications when deemed necessary by the Division Superintendent and approved by the School Board.

ADOPTED: June 11, 2012

ENERGY EFFICIENT CONSTRUCTION

Use of energy conserving construction shall be a high priority. The proposed project which contains the most efficient energy saving plans within an acceptable budget shall have priority. Energy saving designs shall be documented in the architectural evaluation and shall comply with educational specifications as determined by the State Department of Education and approved by the School Board.

The Division Superintendent shall ensure systems and equipment operate in each school building and office facility to provide for staff comfort while realizing efficient use of energy and water resources.

A continuous study of energy problems and energy sources shall be maintained by the administration for future planning in new construction.

ADOPTED: June 11, 2012

CONSERVATION

All systems, equipment and buildings in the Division will be operated in a manner of studies and providing support to that effort. The Division Superintendent shall administer an appropriate staff development program which sensitizes each employee to the need to conserve energy. The Division Superintendent shall also affect management practices which monitor closely energy consumption trends and which indicate equipment malfunctions or operating practices contributing to unnecessary consumption of energy. The maintenance component of the Operating Budget and Capital Improvement Plan will give consideration to installing equipment which will produce energy savings which, within five years, will pay for the cost of installation.

ADOPTED: June 11, 2012

LEGAL REFERENCES: Code of Virginia, 1950, as amended, Sections 11-34.1; 11-34.2; 11-34.3.
ACCOMMODATIONS FOR THE DISABLED

Plans for new buildings and renovations or alterations of existing buildings will offer such design and accommodations as to make the newly constructed buildings and renovated or altered areas accessible to disabled persons. The Board shall require that construction plans for new buildings and renovations or alterations to existing buildings meet accessibility standards as specified in either the Uniform Federal Accessibility Standards (Appendix to 41 C.F.R. Part 101-119.6) or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (Appendix A to 28 C.F.R. Part 36).

ADOPTED: June 11, 2012

CONSTRUCTION PLANNING

No public school building or addition or alteration thereto, for either permanent or temporary use, shall be advertised for bid, contracted for, erected, or otherwise acquired until the plans and specifications therefor have been approved in writing by the Division Superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects that such plans and specifications are, in his professional opinion and belief, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The Division Superintendent’s approval, architect’s or engineer’s statement, and a copy of the final plans and specifications shall be submitted to the Superintendent of Public Instruction.

ADOPTED:  June 11, 2012


CROSS REFERENCE:  FEA Educational Facilities Specifications

© 5/01 VSBA YORK COUNTY SCHOOL DIVISION
PUBLIC DEDICATION OF NEW FACILITIES

The School Board may have a public dedication ceremony following completion of major building projects.

ADOPTED: June 11, 2012

LEGAL REFERENCE: Code of Virginia, 1950, as amended, Section 22.1-78.

CROSS REFERENCE: FFA School Names

© 5/01 VSBA YORK COUNTY SCHOOL DIVISION
SCHOOL NAMES

It is the responsibility of the County School Board of York County Virginia to determine the name of schools in the division. The Board will solicit and accept input from the public regarding school names but reserves the right to make the final decision regarding the name of any school. Suggestions regarding the name of a school must be in writing, must state the name of the person or group making the suggestion, and must state the reasons supporting the suggestion.

No school shall be named after a person, living or deceased.

ADOPTED: June 11, 2012


CROSS REFERENCE: FF Public Dedication of New Facilities
RETIREMENT OF FACILITIES

Certain school division buildings become unsuitable for their present use, but may be used to benefit the school division or public in other ways. In determining which facility is to be retired, the School Board may consider the following of factors, among others:

1. The adaptability of the building for continued use of its present purpose;

2. The suitability of the site of the building;

3. The maintenance and upkeep of the building costs; and,

4. The historic value of the building to the community.

The School Board shall invite the viewpoints of community residents and staff in making its decision to retire a school building.

If the School Board determines to close a facility, it will first consider other uses that the school division might make of the building prior to considering relinquishing possession of the building as provided by law.

ADOPTED: June 11, 2012

EQUIPMENT MAINTENANCE

Maintenance of equipment, or personal property unassociated with a building's systems or information systems will be performed by School Board employees or by private contractors as deemed appropriate by the Division Superintendent. Maintenance of equipment will be centralized to achieve economies of scale.

ADOPTED: June 11, 2012

DONATED IMPROVEMENTS TO THE PHYSICAL PLANT

From time to time parent or community groups may offer to donate money, equipment, labor or a combination of these for the purpose of making an improvement to the physical plant on a school campus. The Board acknowledges the positive effects of appropriate donations at the recipient school. Proposed donations will benefit the Division only if they are consistent with the long-term needs of a school’s physical plant. Consequently, no work on a proposed improvement will commence without the Division Superintendent’s written approval. Such approval will issue only after staff has informed the Division Superintendent that the proposed contribution complies with established building codes or other relevant regulatory standards. Construction of the donated improvement, if accomplished by volunteer labor, shall be inspected and approved by cognizant York County building inspectors, as would any similar work accomplished by a contractor to the Board.

ADOPTED: June 11, 2012

SECTION G
SECTION G – PERSONNEL

GA  Personnel Policies Goals, Standards and Definitions
GAA  Staff Time Schedules
GAB/IIBEA  Acceptable Computer System Use
GAE/JHG  Child Abuse and Neglect Reporting
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GBA/JFHA  Prohibition Against Harassment and Retaliation
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GBN  Staff Hiring Procedures
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PERSONNEL POLICIES GOALS, STANDARDS AND DEFINITIONS

Goals and Standards

The goal of the employment policies and practices of the York County School Board is to promote the employment and retention of highly qualified personnel to effectively serve the educational needs of students.

All employees have a responsibility to be aware of and abide by all laws, School Board policies and administrative regulations which affect their work in the School Division. The School Board expects employees to conduct themselves in a professional and ethical manner. The School Board shall define "professional and ethical manner" as required by facts and circumstances. The teacher will be responsible for leading children and youth to desirable patterns of conduct and behavior. The practice of exemplary conduct in all personal, social and professional affairs is expected of all employees. Manner and dress will at all times be appropriate to the activity of the moment and will be such as to maintain dignity and respect. Standards of appropriate dress will be enforced by the building Administrator. Any employee charged with a crime (Note: Traffic citations, other than reckless driving and driving under the influence, are not crimes.) must report the charge to his/her supervisor on the next workday following the charge or within 48 hours, whichever is the lesser amount of time.

Certain employees are issued high value or sensitive equipment or material for the purpose of carrying out their employment responsibilities. High value equipment or material includes but is not limited to, digital portable radio units, lap top computers, personal digital assistants, teacher edition textbooks and publishers’ instructional materials. Sensitive equipment or material consists of electronic access cards, building entry keys and York County School Division uniform items used for the purpose of maintaining security in schools and on buses in the school division. Employees issued such equipment and material shall be personally accountable for its' safe keeping. The Division Superintendent shall ensure employees issued such equipment or material are aware of their responsibility, including the consequences should such equipment be lost or destroyed as a consequence of the employee’s negligence. Employees must return such equipment or material intact to the School Division upon termination of employment with the Division.

Definitions

SCHOOL BOARD EMPLOYEE - a person, other than an independent contractor, hired by the York County School Board at a specified rate of pay to render service in the York County School Division under the direction and control of another School Board employee. Individual School Board employees fall into one or more of the following categories:

- Full Time
- Part Time
- Licensed
- Non-Licensed
- Permanent
- Probationary
- Administrator
- Supervisor

For purposes of this definition the Division Superintendent is not an employee of the Board. Rather the Division Superintendent is the Chief Executive Officer of the School Division whose services are retained by a negotiated contract with the County School Board.
FULL TIME EMPLOYEE - an individual who by reason of employment is eligible for all benefits offered by the School Board to its employees. Full time employees are hired by the School Board upon recommendation of the Division Superintendent. Given the nature of a school division’s operations, full time status is a matter of definition by the School Board upon recommendation of the Division Superintendent, rather than by working a specified number of hours in a fiscal year. Full time employees can fall into one of the following sub-categories of the School Board Employee Pay Plan:

12 month employee*
11 month employee*
10 month employees*

*Defined in the Pay Plan

PART TIME EMPLOYEE - a person hired by the School Board upon the recommendation of the Division Superintendent to fill a temporary position or a permanent position expressly identified by the Division Superintendent as a part time position. A part time employee is eligible only for those benefits expressly authorized for part time employees.

LICENSED EMPLOYEE - a licensed employee is a person holding a license issued by the Virginia Department of Education (DOE), employed by the School Board and assigned to a position specified by DOE as requiring a DOE license holder. NOTE: Registered nurses, holding licenses issued by the Department of Health, are employed by the School Board for positions designated by the School Board, not DOE or the Department of Health. For purposes of this Policy Manual, registered nurses are grouped with non-licensed employees with respect to personnel policies and DOE regulations.

- Virginia Department of Education regulations govern which positions in the School Division require licensed personnel.
- Under Virginia law the School Board employs a licensed employee either on a continuing contract or on a probationary contract basis.
- Licensed employees are grouped under the Licensed Employees section of the School Board Pay Plan.
- Employees who hold licenses but who serve in positions for which a license is not required by the Virginia Department of Education are non-licensed employees of the School Board for purposes of School Board policy.
- A supervisor is a full time licensed employee assigned by the School Board to a supervisory position, other than an administrator’s position, for which the Virginia Department of Education requires a license.

NON-LICENSED EMPLOYEE - any employee not defined as a licensed employee.

PERMANENT NON-LICENSED EMPLOYEE - any non-licensed full time employee who has worked for the School Board for more than 18 continuous months and who has been endorsed for full time status by the immediate supervisor, the Chief Human Resources Officer, the Division Superintendent and approved by the School Board.

PROBATIONARY NON-LICENSED EMPLOYEE - any full time non-licensed employee who has worked for the School Board for less than 18 continuous months. Probationary periods for licensed employees are governed by Virginia law.
ADMINISTRATOR - an employee placed by the Division Superintendent in a leadership position either in a school or in the School Board Office. Administrators include; Chief Officers; Directors; Principals; Assistant Principals; and other positions designated by the Division Superintendent in his annual organization chart presented to the School Board. Administrators can be licensed or non-licensed employees.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998; August 28, 2000; March 25, 2002; May 22, 2007
RESTATED: November 22, 2010; January 27, 2014

LEGAL REFERENCE Code of Virginia, 1950, as amended, § 22.1-295

CROSS REFERENCES: AC Nondiscrimination
GB Equal Employment Opportunity/Nondiscrimination
GBL Personnel Records
GBN Staff Hiring Procedure
STAFF TIME SCHEDULES

Work Schedules

A. Operating Hours for School Division Facilities
   School Board Office - This facility shall be open to the public from 8:00 a.m. to 5:00 p.m. Monday through Friday throughout the fiscal year except for those dates which have been designated as holidays on the School Board approved school year calendar.

   Schools - School offices will be open to the general public Monday through Friday of the school year as follows: elementary school 8:00 to 4:15; middle school 7:45 to 4:00; high school 7:00 to 4:00. Offices will be closed on dates which have been designated as holidays on the School Board approved school year calendar.

   Classrooms and other facilities within the school will be open during those hours designated by the school principal as necessary to carry out the program of instruction and the authorized extra curricula program. In every case a School Board employee must be present when a school building is open for any purpose.

   Support Operations Offices - The School Division Warehouse, Maintenance Office, School Division Warehouse and School Bus Garage will be open on a schedule, approved by the Division Superintendent, each work day of the fiscal year. The Transportation Office shall operate on a schedule, approved by the Division Superintendent, which ensures the reliability and safety of bus transportation services provided to York County School Division pupils.

B. Employee Work Hours
   Non-Licensed Employees
   Technical, Maintenance and Clerical staff - Full time employees will work a standard 8 hour day, exclusive of a lunch break which will be without pay. Principals, Directors and Associate Directors will manage the scheduling and length of lunch breaks for their faculties and staffs. In every case each employee shall have a lunch break each day. More than one work shift may be established for any work day.

   Bus Drivers - Bus drivers’ standard work day will be specified in hours in the bus driver’s contract on the bus routes assigned for the school year. Food Service workers, Health Services Paraprofessionals, Paraeducators and other non-licensed instructional support staff - Full time employees will work the number of hours specified on their personnel actions for the school year in which they are employed.

   A regular full time employee who is non-exempt under the provisions of the Fair Labor Standards Act and who is required to be available immediately by telephone or beeper after regular working hours and to respond within a reasonable period of time when called is eligible to receive on-call standby pay. The rate of pay shall be listed in the Annual Pay Plan.

C. Licensed Employees on School Faculties/Assigned to School-based Programs
   For licensed employees assigned to school faculties/school-based programs, the Board will include in the school calendar each year a number of work days, not to exceed twenty, in addition to the 180 teaching days or 990 hours required by law. Such days will be used for planning, evaluation, professional development, recordkeeping or orientation. Certain
employees in this category shall have their contracts extended additional days when necessary to fulfill the duties of their positions.

Teachers have the opportunity each day at a reasonable time a lunch period of the same duration as that afforded pupils, during which no duties are assigned except in emergencies or when special events occur. Elementary school teachers will be provided at least an average of thirty minutes per day during the students’ school week as planning time.

The minimum day schedule will be seven hours and thirty minutes. However, teachers will perform such other duties during the school year as are deemed necessary by the School Board, Division Superintendent or principal for the efficient and successful operation of the school. The Board reserves the right to extend the minimum daily requirement at any time to meet the expectations of the instructional program. The principal or other supervisory personnel may require personnel to perform the following services beyond the minimum time requirements:

- self-study – AdvancEd Quality Assurance Review
- school or division wide staff development activities
- chaperone - regular day instructional field trips
- parent group meetings
- faculty/staff meetings
- in-school parent-teacher conference
- orientation program
- grade level or Department Chairperson work
- IEP development
- other services necessary for the efficient and successful operation of the instructional, athletic or student activity program(s)

Registered nurses will work the number of hours specified on personnel actions.

The School Board views as inappropriate, a specific work schedule for Directors, Associate Directors, Principals, Assistant Principals, Managers, Specialists and other employees exempted from the Fair Labor Standards Act because they occupy management positions in the School Division. Accordingly, the School Board expects them to work as necessary, under the direction of the Division Superintendent, to discharge their duties regardless of the office hour schedule set for the School Board office or individual school offices. Consequently, salaries for these positions are predicated on job demands which require time both in excess of a nominal 40 hour work week and outside the limits of the nominal 8:00 a.m. to 5:00 p.m. workday.

The Division Superintendent is authorized to delegate to principals, directors and associate directors the authority to establish flexible working hour schedules for licensed and non-licensed employees. The Division Superintendent, if he chooses to exercise this grant of authority, shall establish procedures which ensure compliance with the Fair Labor Standards Act and which also ensure productive work schedules. In no case, however, shall an individual employee work more than ten paid hours per day, unless approved by the Division Superintendent or the Chief Operations Officer.

**Fair Labor Standards Act Compliance**

Human resources and payroll management practices in the School Division shall ensure records and work schedules comply with Fair Labor Standards Act requirements for employees not exempted by the Act. Overtime compensation for non-exempt employees who work in excess of 40 hours in any work
week shall be in the form of one and one-half hours of compensatory time off for each hour worked in excess of 40 hours

The compensatory time off shall be taken during regular work hours in the month in which it is earned or during the subsequent month. Upon termination of employment with the School Board (other than completing the regular term of employment for the fiscal year), an employee shall be paid for any accumulated compensatory time in accordance with the requirements of the Fair Labor Standards Act.

Compensatory time off in lieu of cash overtime compensation shall be an express condition of employment for employees, consistent with the Fair Labor Standards Act and relevant Department of Labor regulations.

However, all school bus drivers, all custodians, all food service workers, all maintenance staff, all paraeducators, and clerical and technical support staff, unless expressly exempted by the supervising director on an annual basis, shall be paid cash overtime compensation. Overtime compensation shall be one and one half times the equivalent hourly rate for each full hour worked in excess of the 40 hours in any work week.

The Division Superintendent shall implement this policy by an appropriate regulation. Further, the Division Superintendent is expressly authorized to establish flexible scheduling practices which he deems appropriate for minimizing the frequency of non-exempt employees working in excess of 40 hours in any work week.

Attendance Expectations
All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

ADOPTED: June 20, 1988


CROSS REFERENCE: IC/ID School Year/School Day
ACCEPTABLE COMPUTER SYSTEM USE

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

Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, 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 computer system.

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, that seek to prevent access to:
   a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
   b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
   c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

3. provisions establishing that the technology protection measure is enforced during any use of the Division’s computers;

4. provisions establishing that all usage of the computer system may be monitored;

5. provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response;

6. provisions designed to prevent unauthorized online access by minors, including “hacking” and other unlawful online activities;

7. provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

8. a component of internet safety for students that is integrated in the Division’s instructional program.
Use of the School Division’s computer system 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 computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement before using the Division’s computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system 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 computer system 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 computer system.

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

ADOPTED: January 27, 2014


CROSS REFERENCES: GCPD Professional Staff Discipline JFC Student Conduct
CHILD ABUSE AND NEGLECT REPORTING

REPORTING REQUIREMENT

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

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

All persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose.

COMPLAINTS OF ABUSE AND NEGLECT AGAINST SCHOOL PERSONNEL

The school board and the local department of social services shall adopt a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student, against school personnel. The interagency agreement shall be based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

ADOPTED: June 17, 2011

REVISION: June 13, 2014

RESTATEMENT: April 28, 2014

EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION

Policy Statement
The York County School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention or other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of race, color, religion, national origin, ancestry, political affiliation, sex, gender, age, marital status, genetic information or disability is prohibited. Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation. The York County School Board shall provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons. Further, the York County School Board shall not discriminate against qualified disabled persons in the provision of health, welfare and other social services.

The statement, “York County School Board is an equal opportunity employer,” shall be placed on all employment application forms.

Notice of Policy/Prevention
This policy shall be: (1) posted in prominent areas of each school division building, (2) included in employee handbooks and (3) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination should be included in employee in-service training.

• Complaint Procedure
  A. File Report
  Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the Compliance Officers designated in this policy. 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. 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, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the Compliance Officers designated in this policy. Any complaint that involves the Compliance Officer shall be reported to the superintendent.

  The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division’s ability to fully respond to the complaint.

  B. Investigation
  Upon receipt of a report of alleged 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 generally should be not later than 14 school days
after receipt of the report by the Compliance Officer. Upon receiving the complaint, the Compliance Officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the superintendent. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the Superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy 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(s) 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 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 alleges the superintendent has violated this policy, 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 written decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken.

If the complaint alleges that the superintendent has violated this policy, the School Board’s standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the Compliance Officer’s report or the time a committee is appointed, if there is no standing committee. The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken.

The written decision must be mailed to or personally delivered to the complainant within 5 calendar days of the issuance of the decision. If the superintendent or committee concludes that prohibited discrimination occurred, the BLANK 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 dismissal.

D. Appeal

If the Division Superintendent or committee determines that no prohibited discrimination
occurred, the person 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, or with a member of the committee which issued the written decision, 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 Division Superintendent, or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board’s decision will be given to the complainant.

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

E. Compliance Officer and Alternate Compliance Officer
The York County School Board has designated the Chief Human Resources Officer as the Compliance Officer responsible for identifying, investigating, preventing and remediing prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, the Division’s Chief Operations Officer.

The Compliance Officer shall:
- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the School Division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, and has the authority to protect the alleged victim and others during the investigation.

Retaliation
Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The School Division shall take appropriate action against any employee who retaliates against another employee or candidate for employment 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.

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

Prevention and Notice of Policy
Training to prevent discrimination should be included in employee orientations and in-service training. This policy shall be (1) displayed in prominent areas of each division building in a location accessible to school personnel, and (2) included in employee handbooks. All employees shall be notified annually of the names and contact information of the Compliance Officers.

False Charges
Employees who knowingly make false charges of discrimination shall be subject to disciplinary action.
ADOPTED: January 27, 2014


CROSS REFERENCES: AC Nondiscrimination
GBA/JFHA Prohibition Against Harassment and Retaliation
GBM Procedures for Adjusting Employee Grievances
GCPD Professional Staff Discipline
JB Equal Educational Opportunities/Nondiscrimination
REPORT OF DISCRIMINATION

Name of Complainant: 

For Employees, Position: 

For Applicants, Position Applied For: 

Address, Phone Number and Email Address: 

Date(s) of Alleged Discrimination: 

Name(s) of person(s) you believe discriminated against you or others: 

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

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

Signature of Complainant 

Date 

Complaint Received By: Compliance Officer 

Date 

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I. Policy Statement
The York County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the School Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The York County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists 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 sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists 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 shall: (1) promptly investigate all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions
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

A. 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 intimates or threatens individuals based on their race, national origin, disability or religion

Additional Prohibited Behavior

Behavior that is not unlawful or does not rise to the level of illegal harassment or retaliation 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, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation.

The York County School Division expects its entire staff, including the Division Superintendent, the School Board, teachers, other school board employees, employees of virtual school programs, school volunteers who work with or in its schools (“Division Personnel”) and other vendors providing services to the Division and/or students, to set examples for students in terms of appropriate conduct and
behavior. Students are best served by a school climate that is both welcoming and professional with very clear standards of conduct. All adults in the Division share the responsibility in creating a safe learning and teaching environment that is free from adult misconduct including adult sexual misconduct.

The protection of students from such misconduct is a Division priority and it is the obligation of all Division Personnel to observe boundaries governing interaction and communication with students. The Division demonstrates its commitment to protecting students from sexual abuse and misconduct through:

- Strict compliance with all state laws and regulations related to the screening of prospective employees for the conviction of barrier crimes and founded cases of child abuse and neglect;
- The development, effective implementation, training and education relating to and enforcement of clear and reasonable policies governing the interaction of students and Division Personnel;
- The establishment of channels of reporting by students and parents of suspected misconduct and abuse, and the prompt notification of law enforcement when criminal activity is alleged or suspected;
- Disclosure of formal reprimands and dismissals for violating Division policies on sexual misconduct and abuse prevention to school divisions seeking references; and
- Strict compliance with all state laws and regulations related to reporting to the Virginia Department of Education of resignations and dismissals of licensed employees related to convictions of barrier crimes and founded cases of abuse.

Adherence to Division policy on student - Division Personnel interactions not only creates a safe and healthy environment for students, it also serves to protect Division Personnel from false accusations and accusations based on misunderstandings.

This policy expands upon, and is established in addition to, the Division policy on the prevention of unlawful harassment.

The Division Superintendent shall take appropriate steps to implement and oversee this Policy by promulgating and implementing Regulations which address:

- Communications between Division Personnel and students;
- Physical contact between Division Personnel and students;
- Social interaction between Division Personnel and students;
- Training relating to and dissemination of this Policy;
- Reporting of suspected misconduct or abuse; and
- Such other topics as may be necessary for the implementation of the provisions of this Policy

III. Complaint Procedure

A. Formal Procedure

1. File Report
Any student or Division personnel who believes he or she has been the victim of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy 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 one of the Compliance Officers designated in this policy 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 one of the Compliance Officers designated in this policy.

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 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 harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant 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 complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint.

2. Investigation

Upon receipt of a report of alleged prohibited harassment, 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 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 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 complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.

The investigation may consist of personal interviews with the complainant, 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 complainant 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 Division 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 Division Superintendent or designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the Superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the York County 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 designee determines that prohibited harassment occurred, the Superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal
If the superintendent or 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 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.

Compliance Officer
The York County School Board has designated the Chief Human Resources Officer as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer, the Division’s Chief Operations Officer.
The Compliance Officer shall
- receive reports or complaints of harassment;
- conduct or oversee the investigation of any alleged harassment;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy; and
- ensure 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.

1. Informal Procedure
   If the complainant and the person accused of harassment agree, the student’s principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

   If the complainant 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 Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.

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 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.

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 based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information 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. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the Compliance Officers.

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

ADOPTED: January 27, 2014

CROSS REFERENCES: AC Nondiscrimination
GB Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F Report of Harassment
GBM Procedures for Adjusting Employee Grievances
JB Equal Educational Opportunities/Nondiscrimination
JFC Student Conduct
GCPD Professional Staff Discipline
JHG Child Abuse and Neglect Reporting
REPORT OF HARASSMENT

Name of Complainant: _____________________________________________________________
For Students, School Attending: ____________________________________________________
For Employees, Position and Location: ________________________________________________
Address, Phone Number and Email Address: ____________________________________________

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

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

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

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

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

__________________________________________________________ Date
Signature of Complainant

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

ADOPTED: January 27, 2014


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STAFF COMPENSATION PROCEDURES

Employees may choose to have their salaries paid in full according to the division’s pay schedule or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned must provide a written election of such deferral prior to the first duty day of the year of deferral on a form provided by the division. Such change will remain in effect until revoked. Any election to defer or any revocation of deferral must be made prior to the first duty day of the fiscal year of the deferment or revocation.

As soon as practical after the Board of Supervisors has approved the operating budget for the next fiscal year, the Division Superintendent shall submit that fiscal year’s Pay Plan for approval by the School Board. The Pay Plan shall list all mechanisms approved by the Board for remuneration of employees for services rendered and for reimbursement of employees for authorized costs incurred. Supplements shall be paid for a limited number of selected duties which require extensive work time beyond normal contract hours. The Pay Plan shall be structured to be as competitive in the local labor market as available resources permit. The Division Superintendent shall issue the approved Pay Plan as a regulation.

From time to time, labor market conditions can present challenges either in retaining talented and skilled employees or in hiring such employees. Offers from other public sector or private employers can induce current employees to depart or can prompt prospective employees to decline a position offer in the York County School Division. Such attrition or hiring shortfalls can create serious vacancies in either specific certification categories for licensed employees or specific skill sets for non-licensed support staff. These vacancies have an adverse effect on the quality of instruction provided to students. Consequently, it is in the best interest of the School Board to undertake measures to counteract monetary inducements offered by competing employers to employees or potential employees whose skills are in great demand in the labor market. Accordingly, the Division Superintendent, as conditions warrant, will recommend to the School Board:

- retention incentives deemed appropriate for retaining those categories of employees whose certifications or skill sets are in great demand; and
- recruiting incentives deemed appropriate for hiring those categories of employees whose certifications or skill sets are in great demand.

Such incentives shall be subject to the availability of funding. Any retention or recruiting incentive shall not affect the structure of the School Board’s Pay Plan but shall be paid in addition to regular salary.

Professional staff, licensed and/or certified, will be given credit for acceptable work experiences in accordance with the provisions of the Virginia Code Annotated and based on specific division needs and budgetary conditions at the time of employment.

Experience must be appropriate to the position for which appointment is intended and of a quality similar to that provided by the York County School Division.
Credit for military service will be computed on the basis of year-for-year credit (maximum three years’ credit), if compulsory military service interrupts teaching experience.

Credit for trade and industrial experience will be in accordance with state vocational guidelines.

Final determination of such matters shall be the prerogative of the Division Superintendent.

Administrators may be allowed experience credit on the administrative salary schedule for previous work that relates to the position for which the person is being considered. Placement on the Pay Plan will be determined by the Division Superintendent.

Experience credit on the non-licensed salary schedule may be allowed for previous work that relates to the position for which the person is being considered. Placement on the Pay Plan will be determined by the Division Superintendent.

ADOPTED: June 20, 1988; January 27, 2014
REVISED: March 15, 1993
BOARD STAFF COMMUNICATIONS

The York County School Board encourages open lines of communication with School Board employees. The Board also recognizes the need to make clear the proper channels of communication to be utilized in considering employees' views in an orderly and constructive manner. Accordingly, it should be noted that the Division Superintendent or his designee will act as the official representative of the School Board in its relations with all employees. All reports and recommendations to the Board from any officer or employee under the Division Superintendent's direction will be made through the Division Superintendent's office except when specifically directed by the Board. All Board actions requiring any report will be directed to the Division Superintendent. This proviso's intent is that the Board will deal only with the Division Superintendent in respect to all matters for which he is responsible.

The School Board further directs the Division Superintendent or his designee to:

1. meet on a timely basis with all classifications of employees to receive suggestions and give appropriate consideration to the views of the employees in matters of concern to them
2. provide for input by all classifications of employees in the formulation of policies which directly affect each classification before the policy is recommended to the Board for adoption.
3. arrange for special presentations to the Board by all classifications of employees at their request or when requested by the Board. These presentations may be made at a regular or special meeting of the Board. Such meetings will be scheduled in advance of the formal presentation of the school budget when they pertain to matters that have monetary impact.
4. post on the Division's internal and external web sites information on Board actions, or contemplated actions, and to make available School Board agendas to all interested groups in advance of regularly scheduled School Board meetings.
5. provide means by which a School Board employee can bring directly to the attention of the Division Superintendent or chief officer, or a director or a principal, matters of concern regarding School Division operations or pupil instruction.

This policy should not be interpreted as prohibiting teachers or staff from speaking directly with School Board members. It is recognized that informal lines of communication do exist. The intent of the policy is to direct concerns to parties responsible for addressing the issues as soon as possible.

ADOPTED: June 20, 1988
REVISED: April 22, 1991; December 14, 1992; March 27, 1995; December 14, 1998; May 19, 2003
RESTATEMENT: February 26, 2008; February 28, 2011; January 27, 2014; November 17, 2014

LEGAL REFERENCE: Code of Virginia, Section 22.1-253.13:7
STAFF HEALTH

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, shall submit a certificate signed by a licensed physician, physician assistant, nurse practitioner, or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

Physical Exams for School Bus Drivers

No person shall be employed as a bus driver unless he or she has a physical exam of the scope required by the Board of Education and provides the School Board the results of the exam on the form prescribed by the Board of Education. Such exam and report may be provided by a licensed nurse practitioner or physician assistant.

The School Board may also require alcohol and drug testing in accordance with Policy GDQ.

Communicable Diseases

The School Board shall provide a healthful environment for all students and employees. The Division Superintendent shall establish procedures to exclude from work any person with an infectious, transmittable or communicable disease. Such exclusion will be contingent upon an evaluation of each case. The evaluation of each case will be conducted in accordance with administrative regulations and will include a written statement from the employee’s physician, from a physician chosen by the Division and from a physician from the local health department that the individual undergoing evaluation does or does not have an infectious, communicable or transmittable disease. If the evaluation indicates that the individual cannot be returned to his regular assignment, an alternative assignment may be considered. All parties involved will respect the rights of the individual regarding confidentiality and their rights to privacy as defined in Public Law 93-380.

Lactation Support Program

For up to one year following the birth of a child, any employee who is breastfeeding will be provided reasonable break periods to express breast milk for her newborn child. In each school and administrative building in the Division, a lactation room will be provided for such purpose. Such lactation room will be a non-restroom location, will be private and sanitary and will be shielded from public view.

The Division Superintendent shall take appropriate steps to implement and oversee this Policy by promulgating and implementing appropriate Regulations.
ADOPTED: January 27, 2014

REVISED: June 13, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 22.1-178, 22.1 300, 22.1 301, 54.1-2952.2, 54.1-2957.02; 22.1-79.6

CROSS REFERENCES: EBAB Possible Exposure to Viral Infections
                        EBBB Personnel Training—Viral Infections
                        GDQ School Bus Drivers
                        JHCC Communicable Diseases
                        JHC Student Health Services and Requirements
The York County School Board is committed to maintaining a Drug Free Workplace.

**Prohibited Conduct**

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance on school property, at any school activity, or on any school-sponsored trip. It is a condition of employment that each employee of the York County School Board will not engage in such prohibited conduct and will notify the York County School Board of any criminal drug conviction for a violation occurring on school property, at any school activity, or on any school-sponsored trip no later than 5 days after such conviction. An employee who is convicted of criminal drug activity for a violation occurring on school property, at any school activity, or on any school-sponsored trip will be subject to appropriate discipline, up to and including termination, or required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

**Discipline**

The Division Superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above. Such personnel action will include the imposition of a sanction on, or the requiring of the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted of a violation occurring on school property, at any school activity, or on any school-sponsored trip.

**Distribution of Policy**

All employees shall be given a copy of this policy.

ADOPTED: January 27, 2014

REVISED: June 13, 2014


CROSS REFERENCES: GCPD Professional Staff Discipline

GDQ School Bus Drivers
STAFF WEAPONS IN SCHOOL

No one may possess or use any firearm or any weapon, as defined in Policy JFCD, on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or any school bus without authorization of the Division Superintendent or his designee.

Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal. Violation of this policy by others will result in actions up to and including a prohibition against the violator returning to school property. In addition, illegal conduct will be reported as required by law.

ADOPTED January 27, 2014


CROSS REFERENCES: JFCD Weapons in School

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SMOKING AND SUBSTANCE ABUSE

Smoking or use of other forms of tobacco by anyone in School Division buildings is prohibited. Smoking may be permitted in one specific outside location designated by the principal or director in charge of the building. Cautious judgment is to be exercised in selection of the outside location. At no time will School Board employees use tobacco in the presence of pupils during school hours or while on duty. Nor will the use of tobacco be permitted at any time in areas near the school building normally used or frequented by pupils or parents.

To help promote non-smoking among the staff, smoking cessation programs will be made available on a periodic basis to all employees who desire to participate.

The possession and consumption of alcoholic beverages and contraband on School Board property is prohibited by the laws of the Commonwealth of Virginia.

ADOPTED: June 20, 1988
REVIEWED: November 22, 2010;
REVISED: April 23, 1990; March 15, 1993; January 24, 1994
RESTATEMENT: March 25, 2002; May 22, 2007; January 27, 2014
LEGAL REFERENCES: Code of Virginia Sections 4.1-309; 18.2-250; 18.2-250.1
ELECTRONIC CIGARETTES

The use of electronic cigarettes is prohibited on school buses, on school premises and at school-sponsored activities. Smoking may be permitted in one specific outside location designated by the principal or director in charge of the building.

ADOPTED: June 13, 2014


CROSS REFERENCES: GBEC Smoking and Substance Abuse
                  JFCH Tobacco-Free School for Staff and Students
                  JFC Student Conduct
                  KG Community Use of School Facilities
                  KGB Public Conduct on School Property
                  KGC Use of Tobacco and Electronic Cigarettes on School Premises
STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The York County School Board recognizes the right of its employees to engage in political activity.

The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in his or her political activities, an employee may not

- use his or her position within the school division to further a political cause;
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, Sections 22.1.70, 22.1-78

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MEETINGS OF EMPLOYEE GROUPS IN SCHOOL DIVISION FACILITIES

Professional organization meetings scheduled during the instructional day must be approved by the principal, if held in schools, or by the Chief Operations Officer if held at the School Board Office building.

ADOPTED: June 20, 1988
REVIEWED: November 22, 2010
REVISED: March 15, 1993; January 26, 1998; May 22, 2007
RESTATEMENT: March 25, 2002; January 27, 2014
STAFF GIFTS AND SOLICITATIONS

The York County School Board prohibits employees and their families from accepting personal gifts (as a result of the employee’s relationship with the School Board) from any person, firm, corporation or other entity which is engaged in or endeavoring to engage in procurement activities or business or financial service to the York County School Division. All gifts offered to the School Division must be accepted formally by the School Board. Once accepted, the gifts become the property of the School Board. This policy does not apply to:

- dinner discussions or other instances where the York County School Division’s interests are served by employee participation in gatherings sponsored by associations for the discussion of matters of mutual interest by those in attendance;
- gifts of advertising valued at less than $5.00;
- gifts given by students to teachers or employees to each other.

No employee of York County School Board will engage in the solicitation of funds as a representative of a school or the School Division without the prior consent of the School Board.

Solicitation of Staff Members
Solicitation of staff members for non-school related activities on school grounds or during any school sponsored activities is prohibited except as expressly authorized by the Division Superintendent.

ADOPTED: June 20, 1988
REVIEWS: November 22, 2010
REVISED: March 15, 1993
RESTATEMENT: March 25, 2002; May 22, 2007; January 27, 2014
PERSONNEL RECORDS

Present and past employees shall have access to their personnel files and records which are maintained by the York County School Division. No separate employee files shall be maintained which are not available for that employee’s inspection.

If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records.

The superintendent is responsible for maintaining a system of personnel records for all employees of the School Board. Personnel files of all School Board employees may be produced and maintained in digital or paper format.

Teacher performance indicators, or other data used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise is confidential but may be disclosed (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Confidentiality of Personnel Records
The Division Superintendent shall establish procedures to protect the confidentiality of personnel records, personnel references, transcripts of college credits and other similar documents. An employee will have the right, upon request, to review the contents of his personnel file or folder. An employee will also have a right to submit a written answer to material in his file, and his answer will be attached to the file copy.

Distribution of Staff Directories
The Division Superintendent shall establish procedures for the distribution of directories in which the names and addresses of employees of the School Board are listed. These directories are considered to be confidential and under no circumstances will such directory be released to political and/or commercial organizations.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 2.2-3700 et seq., 2.2-3800 et seq., 22.1-295.1 and 40.1-28.7:4

CROSS REFERENCES: GBLA Third Party Complaints Against Employees
THIRD-PARTY COMPLAINTS AGAINST EMPLOYEES

Any parent or guardian of a student enrolled in the York County School Division or any resident of York County may file a complaint regarding an employee of the York County School Board. Such complaint will be filed with the superintendent or his/her designee. If the complaint involves allegations that an employee of the York County School Division has abused or neglected a child in the course of his employment, the complaint will be investigated in accordance with Va. Code §§ 63.2-1503, 63.2-1505, and 63.2-1516.1.

Information determined to be unfounded after a reasonable administrative review will not be maintained in any employee personnel file, but may be retained in a separate sealed file by the administration if such information alleges civil or criminal offenses. Any dispute over such unfounded information, exclusive of opinions retained in the personnel file, or in a separate sealed file, notwithstanding the provisions of the Government Data Collection and Dissemination Practices Act, Va. Code §§ 2.2-3800 et seq., will be settled through the employee grievance procedure as provided in Va. Code §§ 22.1-306 and 22.1-308 through 22.1-314.

Individuals lodging a complaint will be sent a letter noting that the complaint has been received and is in the process of being investigated.

The complaint must be filed within 30 days after the alleged incident and should be processed after a reasonable period of time, normally within 60 days or less.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 2.2-3800 et seq., 22.1-70, 22.1-78, 22.1-295.1


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PROCEDURES FOR ADJUSTING EMPLOYEE GRIEVANCES

The York County School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

However, grievances concerning dismissal or demotion of permanent non-licensed employees shall be adjusted pursuant to procedures promulgated by the Division Superintendent.

ADOPTED: January 27, 2014

STAFF HIRING PROCEDURES

It is the desire of the York County School Board to recruit, hire, and retain the best possible qualified applicants. The Division Superintendent is responsible for developing procedures for advertising vacancies and new positions. Those procedures will be designed to ensure that all openings are properly advertised to give all interested and qualified parties the opportunity to apply. While most positions will be filled using those procedures, the School Board may, at the request of the Superintendent, fill positions in other ways. For example, the School Board may authorize the filling of a position to accommodate the disability of an employee, to transfer an employee when it is determined to be in the best interest of the School Division, to satisfy the rights of employees returning from leave, or to move an employee whose performance is unsuccessful to a position in which he or she might be successful, or to discipline an employee for conduct deficiencies. Current Division employees will be given an opportunity to apply for positions for which they are qualified. Vacancies within the Division will be advertised on-line and in the School Board Office. The applicant determined to be the best qualified shall be selected for a vacant or new position, regardless of whether the applicant is an internal or external candidate.

Application for employment in the York County School Division shall be made on-line via the electronic application system.

It is the responsibility of the applicant to furnish accurate information, and any falsification of either information or credentials is cause for dismissal or refusal to employ.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78

CROSS REFERENCES: AC Nondiscrimination
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
RETIREMENT

Retirement benefits for full-time employees are provided under the provisions of the Virginia Retirement System.

The York County School Board offered a Defined Pension Plan and Trust for those full time employees who, prior to July 1, 1992, were not covered by the VRS. This Plan was frozen on July 1, 1992 when all full time employees were enrolled in VRS.

The School Board will reimburse employees upon retirement at the rate of $30 per day for up to 100 days of accumulated sick leave.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998; August 28, 2000; March 25, 2002; May 24, 2004; May 25, 2007; November 22, 2010
RESTATEMENT: January 27, 2014
VOLUNTARY RETIREMENT SAVINGS PROGRAM

Tax deferred savings plans which comply either with Section 403(b) or Section 457(b) of the Internal Revenue Code will be available to employees. Employee participation is completely voluntary and the employee will bear all costs of the participation. The Division Superintendent, by competitive procurement procedures established by law, will contract with vendors of “403(b)” tax deferred savings plans to provide appropriate services at competitive rates to School Board employees. Employees can enroll in “457(b) plans” through the Virginia Retirement System. Only “403(b) plan” vendors selected by the competitive procurement process are authorized to offer new ““403(b)” tax deferred savings plans to School Board employees.

ADOPTED: March 15, 1993
REVISED: March 28, 2006
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014
PROFESSIONAL STAFF

No teacher shall be regularly employed by the School Board or paid from public funds unless such teacher holds a license or provisional license issued by the State Board of Education. If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1 - June 30), an additional year will be added to the teacher’s provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year or years shall be granted the following year or years after the return of the teacher from deployment or activation.

The Virginia Board of Education prescribes, by regulation, the requirements for the licensure for teachers and other school personnel required to hold a license.

ADOPTED: January 27, 2014

PROFESSIONAL STAFF CONTRACTS

The School Board shall enter into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-440-10 before such employees assume their duties except as noted below. Contracts will be in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts shall be signed in duplicate, with a copy furnished to each party.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher’s absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

A contract can be terminated only by mutual consent for extraordinary reasons. A request to terminate must be in the form of a written resignation.

Licensed employees who do not intend to continue employment for the following school year will submit a written notice to the Division Superintendent by February 1 or as soon as possible thereafter but no later than June 15.

The Division Superintendent shall establish procedures both for renewing and not renewing contracts of probationary teachers. Such procedures shall comply with Virginia Code Sections 22.1-304 and 22.1-305.

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid shall be separate from the employee’s primary contract and termination of the separate contract shall not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCBB Supplementary Pay GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect GCE Part-Time and Substitute Professional Staff Employment GCG Professional Staff Probationary Term and Continuing Contract GCPB Resignation of Staff Members GCPD Professional Staff Discipline GCPF Suspension of Staff Members
STAFF SALARY SCHEDULES

As soon as practical after the Board of Supervisors has approved the operating budget for the next fiscal year, the Division Superintendent shall submit that fiscal year’s Pay Plan for approval by the School Board. The Pay Plan shall list all mechanisms approved by the Board for remuneration of employees for services rendered and for reimbursement of employees for authorized costs incurred. Supplements shall be paid for a limited number of selected duties which require extensive work time beyond normal contract hours. The Pay Plan shall be structured to be as competitive in the local labor market as available resources permit. The Division Superintendent shall issue the approved Pay Plan as a regulation.

ADOPTED: March 15, 1993
REVISED: June 26, 2000;
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014
SUPPLEMENTARY PAY

The York County School Board will approve all categories of athletic coaching and other extracurricular activity sponsorships for which supplemental pay will be provided. The Board will also establish the amount of compensation for employees who coach or supervise such activities.

A separate contract in the form permitted by the Board of Education shall be executed by the School Board with an employee who receives supplemental pay for any athletic coaching assignment or extracurricular activity sponsorship assignment. This contract shall be separate and apart from the contract for teaching. All such contracts will require a party intending to terminate the contract to give reasonable notice to the other party before termination thereof will become effective.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment requiring responsibility for any student organizations, clubs, or groups, such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those activities that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Principals may assign extracurricular activities and duties with regard for the work load and interests of the individual teacher. Such assignment will be on an annual basis.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCB Professional Staff Contracts
STAFF FRINGE BENEFITS

The York County School Board recognizes the need for fringe benefits in order to promote the employment and retention of the highest quality personnel and effectively serve the educational needs of students.

The York County School Division will accept the transfer of up to ninety (90) days of accumulated sick leave earned by licensed personnel in other Virginia school divisions. It is the responsibility of the new employee to affect the transfer of sick leave into the York County School Division.

The York County School Board is proud of the many accomplishments of its employees. It is the policy of the Board that there be an official program to recognize employees whose quality performance contribute significantly to the advancement of the goals and business of the school division. The Division Superintendent shall implement this policy by appropriate regulations.

SICK LEAVE BANK

On occasion a School Board employee may become incapacitated by long term illness or injury which falls outside the Workers Compensation Act and disability retirement policies. In such a case the employee may encounter financial distress when all sick leave, personal business leave, compensatory time and annual leave have been exhausted. To assist employees with financial distress experienced under these circumstances, the School Board authorizes the Division Superintendent to implement a sick leave bank subject to the following guidelines:

1. The School Board has no financial reserves to permit the Board to act as an insurance company. Consequently, a sick leave bank cannot impose on the School Board financial liabilities which cannot be met within the limits of the personnel accounts and available revenue sources of the annual operating budget. A sick leave bank will have reasonable threshold criteria which will limit the benefit to employees experiencing significant health problems which could create financial distress.

2. The School Board is without authority to use public funds for welfare or charity purposes. Consequently, a sick leave bank, as a human resources management tool, will address only the needs of veteran full time employees who expect to return to work in the School Division if they regain their health.

3. The Division Superintendent will submit, as a Division Superintendent's Regulation, any implementation plan for a sick leave bank to the School Board for approval. However, before such submission, the Division Superintendent will have verified by an affirmative vote that no less than 60% of employees volunteer to participate in the sick leave bank being proposed.

FULL TIME EMPLOYEE FRINGE BENEFITS

HOLIDAYS

The School Division will observe holidays to be designated annually by the School Board calendar. The School Board can revise the holiday schedule during the year based on unforeseen circumstances. An employee who has an unexcused absence for any part of the workday immediately preceding or following a holiday does not receive holiday pay. Schools will be closed on the designated holidays. Holidays occurring on a Saturday generally will be observed on the preceding Friday. Holidays occurring on a Sunday generally will be observed on the succeeding Monday. Licensed twelve-month employees,
licensed eleven-month administrators, and twelve-month non-licensed employees on the payroll at the
time of a holiday listed above will have these days as paid holidays. If such employees are required to
work on a paid holiday, they will be given compensatory time at the rate of one and one-half (1 1/2)
days per holiday or paid time and one-half.

INSURANCE
A. State Group Life Insurance
All full-time employees of the School Board who are under seventy years of age at the time of initial
employment and who are covered under the Virginia Retirement System (VRS) must participate in the
State Group Life Insurance provision of the VRS or other employer sponsored life insurance plan. The
employee's share of the cost for this insurance will be paid by the School Board.

B. Medical Insurance Coverage
Medical Insurance coverage will be made available for full-time eligible employees. The School Board's
contribution to an individual monthly premium will be set annually
Retirees may elect to continue their present participation in the group health plan under the provisions
of the York County School Division Retiree Health Plan. Retirees' cost of participating in the York County
School Division Retiree Health Plan shall be set by Regulation and/or Procedure promulgated by the
Division Superintendent.

C. Dental Insurance
The School Board will provide dental insurance coverage for full-time eligible employees. The School
Board's contribution to an individual monthly premium will be set annually.

D. Disability Insurance
Insurance for job related disability is provided under the Worker's Compensation Insurance Plan. Non-
job related disability insurance is provided to employees vested in VRS under the terms of that plan.

E. Liability Insurance
The Board will purchase liability insurance, subject to availability and funds, covering all school
personnel.

F. Unemployment Insurance
The Board will participate in the unemployment insurance program through the reimbursable method.

DIRECT DEPOSIT OF EMPLOYEES' PAY
The Division Superintendent will arrange for direct deposit of salary for any employee who requests
such service. All employees (excluding temporary employees) hired after July 1, 2001 are required to
use direct deposit.

FLEXIBLE SPENDING ACCOUNTS
The Division Superintendent will make available to School Board employees Flexible Spending Accounts
(FSA) for health care expenses and dependent care expenses which comply with Section 125 of the
Internal Revenue Code.

TUITION REIMBURSEMENT
Virginia Department of Education licensed employees shall be reimbursed at no more than the actual in-
state tuition cost per course for coursework from an accredited college or university when such
coursework is required by the division to meet specific endorsement needs within the division. The
Division Superintendent, on an annual basis, shall have the authority to determine whether licensed and/or non-licensed employees may be granted tuition reimbursement under terms and conditions which are broader than those described above. The School Board approved tuition reimbursement rate will be stated in the Annual Pay Plan.

BENEFITS FOR PART-TIME EMPLOYEES

INSURANCE
A. Medical Insurance Coverage
Medical insurance coverage will be made available for part-time employees on a pro rata basis in accordance with guidelines established in Policy File 7.1.12, Sub-Section C, Paragraph B. The School Board’s contribution to an individual monthly premium will be set annually.

B. Dental Insurance
The School Board will provide dental insurance coverage on a pro rata basis for part-time eligible employees. The School Board’s contribution to an individual monthly premium will be set annually.

C. Worker’s Compensation Insurance
Insurance for a job related disability is provided under the Workers’ Compensation Insurance Plan.

D. Disability Insurance
Non-job related disability insurance is available through a voluntary payroll deduction plan.

EMPLOYEE PAY: DIRECT DEPOSIT AND PAY CARDS
The Division Superintendent will arrange for direct deposit of salary for any employee who requests such service. For those employees not requesting direct deposit of pay, the Division Superintendent will establish a pay card program which will establish a debit card account to which employee pay will be deposited.

FLEXIBLE SPENDING ACCOUNTS
The Division Superintendent will make available to School Board employees Flexible Spending Accounts (FSA) for health care expenses and dependent care expenses which comply with Section 125 of the Internal Revenue Code.

SICK LEAVE BENEFITS
The Division Superintendent will make sick leave benefits available to School Board employees. The accumulation of sick leave benefits will be based on a pro-rated formula commensurate with the employees’ part-time status. For example, a half-time employee would accumulate one half of the monthly standard sick leave benefits accrued by full-time employees.

ADOPTED: March 15, 1993
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 22.1-85.8 VAC 20-460-10

CROSS REFERENCES: GCBD Staff Leaves and Absences
GBO Retirement
STAFF LEAVES AND ABSENCES

SUB-SECTION A - UNAUTHORIZED ABSENCE

All absences not covered in the leave plans set forth will be with loss of pay. Employees who fail to report at the time specified by their supervisor will lose full pay for each day’s absence unless the absence is approved by the Division Superintendent. Employees who are absent without good cause are subject to dismissal.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014
SUB-SECTION B - OTHER ABSENCE

A. Temporary Absences From Duty
Licensed personnel assigned to a specific school will not leave the school during the instructional day except on school business, personal emergency or personal business of an unusual nature. Arrangements must have been made with the Principal before leaving.

Administrative and supervisory personnel who must leave work temporarily for a portion of the day will inform the immediate supervisor where he can be located. If the immediate supervisor is absent he will inform another appropriate supervisor in the Central Office. A principal must designate an acting principal for the entire period of any absence from his building.

Non-licensed personnel assigned to specific duty stations will not leave their stations temporarily until arrangements have been made with their immediate supervisor.

B. Reporting Absences
It will be the responsibility of an employee unable to report to work to notify the appropriate designated authority (as defined by the Division Superintendent) as early as possible, so that a substitute, if required, can be contacted in time to be present for the opening of school.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998; March 25, 2002; November 22, 2010
RESTATEMENT: May 22, 2007; January 27, 2014
SUB-SECTION C - EMPLOYEE LEAVE

Employees of the York County School Division shall be entitled to specified leave benefits. Categories of leave granted by the Division include:

- Sick Leave
- Family and Medical Leave
- Long Term Medical Leave
- Personal Business Leave
- Annual Leave
- Special Leave (including jury duty, court subpoena, military training, military duty, professional development, summer study, sabbatical and administrative)
- Leave without Pay

To qualify for leave benefits under any of these options, employees shall be required to meet all conditions specifically defined in this policy and to adhere to Division operating procedures as they relate to employee leave matters. Should an employee’s employment terminate for any reason, any unearned leave benefits that had been anticipated shall be deducted at a per diem rate from the final check.

DEFINITIONS:
Active Duty – duty under a federal call or order to active duty in support of a contingency operation as defined in 10 USC 101(a)(13)(B).
Covered service member – current member of the U.S. Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, therapy, or is otherwise in an outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty.
Health care provider – practitioners licensed in the state in which they practice to deliver health care services in order to certify Family Medical Leave.
Immediate Family - includes natural parents, foster parents, stepmother, stepfather, wife, husband, children (natural and foster), grandparents, grandchildren and any other household member of the employee that physically resides in the employee’s place of residence.
Intermittent leave – leave taken in nonconsecutive blocks of time due to a single illness or injury rather than for one continuous period of time.
Next of kin – the nearest blood relative of the individual rather than the covered service member’s spouse, parent, son or daughter in order of priority as established by the Family Medical Leave Regulations.
Parent – the biological, adoptive, step or foster parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.
Child – a biological, adopted or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older if incapable of self-care due to a mental or physical disability.
Serious health condition – An illness, injury, impairment or physical/mental condition that meets any one of the following:
- Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.
Continuing treatment by a health care provider which consists of a period of incapacity for more than five (5) full, consecutive days and also involves treatment two or more times within a thirty day period by a health care provider, absent extenuating circumstances, or treatment at least once by a health care provider which results in a regimen of continuing treatment.

Periods of incapacity due to pregnancy and childbirth, including prenatal care
Chronic conditions which: 1) require visits by a health care provider at least twice a year; 2) continue over an extended period of time; 3) may cause episodic periods of incapacity; 4) may be permanent/long term conditions; or 5) may require multiple treatments.
Reduced Schedule Leave – a leave schedule that reduces the usual number of hours per workweek or hours per workday
Qualifying Exigency – situations relating to the active-duty status or call to active duty in the armed forces including:
    Short-notice deployment;
    Military events and related activities
    Arrangements for childcare, or providing childcare on an urgent basis or for attending school activities;
    Making financial or legal arrangements;
    Attending counseling
    Spending time with the service member while on short-term leave;
    Attending post-deployment activities; and
    Other activities in accordance with the regulations.
SUB-SECTION D - SICK LEAVE

A. Sick leave is available to all full and part-time Division employees. Sick leave may be used for any of the following reasons:

- personal illness;
- health care provider appointments for the employee or immediate family member;
- illness in the immediate family;
- death in the immediate family including the death of a brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law; and/or
- any religious holiday not recognized on the school year calendar

B. An employee may be required to document an absence due to personal illness or illness in the immediate family with a doctor’s certificate, or, in the case of a death in the immediate family, an employee may be asked to provide documentation of a death

C. Sick leave is to be used when the employee is out for no more than five (5) consecutive days. Following the fifth day of an absence for any of the above listed reasons, employees who have been employed by the Division for at least one (1) year, and have worked for at least 1,250 hours during the previous twelve (12) months are to follow procedures for using Family and Medical Leave found in Sub-Section B of this policy

D. An employee not eligible for Family and Medical Leave, who requires additional sick leave beyond the days available in their individual sick leave account, should follow procedures for requesting Long Term Medical Leave found in Sub-Section C of this policy.

E. Sick leave for full-time employees shall be earned at the rate of one day of leave per full month worked. Sick leave for part-time employees shall be accumulated on a pro-rata formula commensurate with the employees’ part-time status. June shall be counted as a full month worked for those employees whose contract requires them to work only until the end of the school year.

F. Except for licensed employees, new Division employees are ineligible to claim sick leave until the leave has been earned. An employee who has worked the previous year in the Division and who has sick leave to his credit is entitled to take sick leave at the beginning of the school year even though he may not have reported for duty.

G. Sick leave may not be anticipated beyond the current fiscal year. If an employee takes sick leave, for which they are not entitled, or sick leave is unauthorized or they terminate employment before earning any sick leave, the amount of the employee’s daily rate of pay will be deducted from their next pay period or final check for any sick leave taken.

H. Unused sick leave will accumulate in an individual sick leave account without limit. A newly hired licensed employee may transfer up to ninety (90) days of an unused sick leave balance only from another Virginia school division into their York County sick leave account. Newly hired non-licensed employees, at the discretion of the Division Superintendent or his designee, may also be permitted to transfer sick leave earned in another Virginia School Division or the County of York employment.

I. Upon retirement, an employee can choose to liquidate their unused sick leave as follows:

- To be reimbursed at the rate of $30 per day up to a maximum of 100 days; or
• To enroll in a retiree health program as discussed in Section 7.1.12 B of the policy manual.

J. All accumulated sick leave shall terminate upon the expiration of employment with the Division except under the following conditions:

A Licensed employee remaining in the teaching profession may transfer accumulated sick leave to another school division, if the Board of the new division is willing to accept the transfer of leave benefits.

A licensed employee will be presumed to have left the teaching profession when they accept employment with an employer other than a Virginia public school division or they are unable to work in a Virginia public school for a period of three (3) consecutive years.

Licensed employees who leave the teaching profession to enter the armed services do not forfeit accumulated earnings unless they fail to return to the teaching profession immediately upon discharge from an original tour of duty in the armed services.

ADOPTED: July 1, 1988
REVISED: July 28, 1992; March 15, 1993; January 26, 1998; June 26, 2000; February 2, 2004; December 18, 2000; March 25, 2002; May 22, 2007; November 22, 2010
RESTATEMENT: January 27, 2014
SUB-SECTION E - FAMILY AND MEDICAL LEAVE

A. Eligible Employee
An employee who has been employed by the Division for at least twelve (12) months and has worked for at least 1,250 hours during the previous twelve (12) months is eligible to apply for the leave provided in this Policy. Employee service breaks of seven years or less will have the previous time of employment counted towards the 12 month eligibility requirement.

B. Leave
1. In General
(i) Except as provided hereinafter, an eligible employee shall be entitled to a total of 12 workweeks of unpaid leave during a school year (July 1 – June 30) for one or more of the following reasons:
   - because of the birth of a child of the employee and in order to care for such child;
   - because of the placement of a child with the employee for adoption or foster care;
   - because the employee is needed to care for his or her spouse, child, parent or immediate family member if such spouse, child, parent or immediate family member has a serious health condition;
   - because of a serious health condition that makes the employee unable to perform the functions of his or her position;
   - because of any qualifying exigency arising out of the fact that the spouse, child or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
(ii) The entitlement to leave for a birth or placement of a child shall expire 12 months after such birth or placement.
(iii) A husband and wife who are both employed by the Division are each entitled to the full 12 weeks of Family Medical Leave for their own health condition or because of the serious health condition of their spouse or child. However, if the leave if for the birth or adoption of a child or for the care of a parent or other immediate family member, the combination of husband and wife are entitled to 12 weeks of leave rather than each being entitled to 12 weeks of leave.

2. Servicemember Family Leave
An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember shall be entitled to 26 workweeks of leave during a 12-month period to care for the servicemember who is undergoing medical treatment, recuperation, or therapy, or is otherwise in outpatient status on the temporary disability retired list, for a serious injury or illness. This leave will not exceed 26 workweeks during a single 12 month period. The calculation of the single 12 month period begins with the first day the eligible employee takes leave to care for the covered servicemember. An eligible employee is limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12 month period, only 12 weeks of which may be for a FMLA qualifying reason other than to care for a covered servicemember.

3. Leave Taken Intermittently or on a Reduced Schedule
(i) Leave taken for the birth or placement of a child shall not be taken by an employee intermittently or
by a reduced schedule leave unless the employee and the employee’s supervising principal or director and the Chief Human Resources Officer agree otherwise.

(ii) Leave for the serious health condition of an employee, an employee’s spouse, child, parent, immediate family member or a covered servicemember may be taken intermittently or on a reduced schedule leave when medically necessary. If such leave is foreseeable based on planned medical treatment, the Division Superintendent may require the employee to transfer temporarily to an available alternative position within the Division for which the employee is qualified and that has the equivalent pay and benefits and better accommodates recurring periods of leave than does the employee’s regular position.

(iii) Employees may not take leave in less than one-half (1/2) day increments.

4. Substitution of Paid Leave
Accrued sick leave, annual leave, and/or personal leave shall be used and counted as part of the 12 or 26 week allotment of Family and Medical Leave. Unless the period of Family and Medical Leave can be taken using leave earned in other paid leave categories such as sick leave, annual leave or personal leave, an employee will be on leave without pay. Also during this period, the employee will not accrue seniority or other employee leave benefits.

C. Foreseeable Leave
Requests for Family and Medical Leave must be made in writing to the Chief Human Resources Officer on forms contained in the Standard Operating Procedure for Family and Medical Leave. Such requests must be made at least 30 days in advance of the date the leave is expected to begin. In the event of an unexpected illness, injury, early birth delivery, or other reasonably unforeseen circumstances, leave requests are to be made as soon as possible after the need for Family and Medical Leave is determined.

In any situation in which the necessity for leave for the serious health condition of an employee or an employee’s spouse, parent, child, immediate family member or of a servicemember is foreseeable, based on planned medical treatment, the employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operation of the Division.

D. Documentation
1. A request for a Family and Medical Leave must be substantiated with satisfactory documentation provided within 15 calendar days of the request for leave. If the leave is due to a serious health condition of the employee, employee’s spouse, child, parent, immediate family member or covered servicemember, documentation must be submitted from an appropriate healthcare provider on forms contained in the Standard Operating Procedure for Family and Medical Leave. If the leave is due to a qualifying exigency, documentation must be submitted on the form contained in the Standard Operating Procedure for Family and Medical Leave. Written documentation such as duty orders, dates of active duty service and date of commencement of exigency must be attached to the certification request.

2. The Division reserves the right to request, at its expense, a second opinion if the validity of a Medical Certification is questioned. If the first and second opinions differ significantly, the Division may request that the employee obtain a final and binding third opinion of a jointly selected health care provider. The Division may require an employee to obtain subsequent certifications on a reasonable basis. However, no second or third opinions or recertifications will be required for leaves to care for a covered ill or injured servicemember.
3. The failure of an employee to provide the required medical certification may result in the delay or the denial of an employee’s request for Family and Medical Leave

E. Return from Leave and Benefits Protection
1. Except as noted in this paragraph and as outlined in Section F, upon completion of the Family and Medical Leave period, an employee shall be returned to the position they held at the time their leave became effective or to a position equivalent in pay and benefits. This restoration provision does not apply to administrative positions where restoration would cause substantial and grievous economic injury as determined by the Division Superintendent on the basis of the facts and circumstances of each case.

2. An employee who takes leave for his or her own serious health condition shall provide a certification from the health care provider that the employee is able to resume work.

3. During the period of Family and Medical Leave, the Division will continue to pay the employer’s contribution of the group health coverage held by the employee at the time the leave began. The employee shall be responsible for ensuring that the employee’s portion of the coverage is paid. If the employee fails to return from leave, the Division may recover the premium paid during the leave period except in the instance when the employee does not return to work because of the continuation, recurrence or onset of a serious health condition that entitled the employee to leave, or other circumstances beyond the employee’s control.

F. Additional Rules for Instructional Employees
1. If the employee begins leave more than 5 weeks prior to the end of the semester, the Division Superintendent may require the employee to continue taking leave until the end of the semester if:
   (i) the leave is of at least 3 weeks duration; and
   (ii) the return to work would occur during the 3-week period before the end of the Semester.

2. If the employee begins leave for other than his/her own serious health condition during the period that commences 5 weeks prior to the end of the semester, the Division Superintendent may require the employee to continue taking leave until the end of the semester if:
   (i) the leave is of greater than 2 weeks duration; and
   (ii) the return to work would occur during the 2-week period before the end of the Semester.

3. If an employee begins leave for other than his/her own serious health condition during the period that commences 3 weeks prior to the end of the semester and the duration of leave is greater than five (5) working days, the Division Superintendent may require the employee to continue to take leave until the end of the semester.

ADOPTED: March 15, 1993
REVISED: January 26, 1998; November 22, 2010
RESTATEMENT: March 25, 2002; May 22, 2007; January 27, 2014
SUB-SECTION F - LONG TERM MEDICAL LEAVE

A Family Medical Leave Act equivalent leave of absence, without pay, may be granted to employees of the Division who have a debilitating or life-threatening illness or injury and who are not eligible for Family Medical Leave because they have not worked for the Division for 12 months. Employees with a debilitating or life-threatening illness who are entitled to leave under this policy may take up to 12 weeks unpaid leave during their first year of employment with the Division. Leave may be taken only in full-day increments. Leave may be taken only when the employee has no other leave (such as sick leave) available. During this period of leave, group health and dental benefits which were in place prior to the leave will continue and the employee will be responsible for paying his or her portion of group health insurance and dental insurance premiums.

An employee who is unable to work because of personal illness or injury and who has exhausted all available sick leave and/or Family Medical Leave and/or FMLA equivalent leave may be granted a leave of absence without pay for a period not to exceed twelve calendar months. During the period of this leave, group health and dental benefits which were in place prior to the leave will continue. The employee will be responsible for paying his or her portion of group health and dental premiums during the first twelve weeks of this leave; thereafter, the employee will be responsible for paying the full premium for such benefits.

Long term medical leave shall be used for illness or injury which is sustained outside the workplace and not in the course of employment with the Division. Long term absence caused by an on-the-job injury shall be handled in accordance with the Division’s worker’s compensation insurance policy and Virginia law.

Long term medical leave is to be requested using the "Long Term Medical Leave Form." The request for long-term leave is to be made prior to the exhaustion of other applicable leave options. The employee requesting leave shall be required to provide a statement from the attending physician indicating the expected confinement dates and, if applicable, the anticipated date the employee can be expected to resume their regularly assigned duties.

The employee shall have the responsibility for informing the attending physician the nature of their regular assigned duties.

These dates shall be understood to represent a reasonably informed projection based on the medical condition reported in the physician’s statement, and the requirements of the employee’s regularly assigned duties. The Division Superintendent may also reach a mutual good faith agreement with the employee concerning a projected return to work date.

Before long-term medical leave is granted, the Division may require a second medical opinion regarding a date the employee can reasonably be expected to resume their regularly assigned duties. Under these conditions, the Division shall pay for the second medical opinion. In the event a second medical opinion is requested, the employee is responsible for meeting all scheduled appointments.

During the leave period, the employee does not accrue sick leave, personal business leave or annual leave benefits. If the employee fails to return from leave, the Division may recover any health and/or dental premiums paid on behalf of the employee during the leave period.

Before being allowed to return to work following a period of long-term medical leave, the employee must present a written statement from the attending physician stating the employee can resume on a specified date their regularly assigned duties.
SUB-SECTION G- PERSONAL BUSINESS LEAVE

All full-time employees who are eligible for Division sick leave are also annually eligible for three (3) days of paid personal leave. Permanent part-time employees are eligible for all leave benefits of their position classification prorated according to the percentage of their employment.

Personal leave may not be used to extend a holiday, vacation, or other leave except as specifically approved by the employee’s immediate supervisor.

At the end of the annual contract period, unused personal leave may accumulate in an individual personal leave account which may hold up to five personal leave days, such that no more than five personal leave days may be used in an annual contract period. Any unused personal leave above that limit shall automatically convert to sick leave.

Donation of personal business leave is possible on a case by case basis. The Chief Human Resources Officer will consider a request to donate personal business leave to another employee. The reasons for the request must be fully explained in writing. Because sick leave and annual leave policies generally provide an adequate “time away from work” opportunity, the circumstances must be compelling to be considered.

ADOPTED: June 20, 1988
RESTATEMENT: November 22, 2010; January 27, 2014
SUB-SECTION H - ANNUAL LEAVE

Twelve-month employees are entitled to annual leave. The annual leave benefit is intended to provide twelve-month employees an opportunity for recreation and a break from the pressures of the workplace. Permanent part-time employees on a twelve-month schedule are eligible for all leave benefits of their position classification prorated according to the percentage of their employment.

Annual leave shall be earned based on the following schedule:

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>Days Per Month</th>
<th>Days Per Year</th>
</tr>
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<tbody>
<tr>
<td>0-5</td>
<td>1</td>
<td>12</td>
</tr>
<tr>
<td>6-10</td>
<td>1.25</td>
<td>15</td>
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<tr>
<td>11-15</td>
<td>1.50</td>
<td>18</td>
</tr>
<tr>
<td>over 15</td>
<td>2</td>
<td>24</td>
</tr>
</tbody>
</table>

Years of service credit may be earned only in the York County School Division.

Annual leave days are accumulated beginning the first month of employment for persons hired on or before the 15th of the month. For an employee hired on or after the 16th of the month the first day of leave will accrue the next month of employment. There will be no pay out of unused annual leave if employment is terminated during an employee’s probationary period.

An employee may elect to have some or all of accumulated annual leave converted to sick leave. Such election must be made during the annual open enrollment period for registering for health and dental care and other benefits.

Annual leave must be approved in advance by the employee’s immediate supervisor or by the Division Superintendent. Supervisors will take action as appropriate to afford employees ample opportunities for annual leave. Annual leave should be scheduled so as to be consistent with the efficient operation of the support service, department or school.

The School Board encourages the use of annual leave on a regular basis to optimize the benefit of rest and recreation afforded by leave and to avoid excess accumulation of unused annual leave. Portions of accumulated annual leave may be lost to an employee upon resignation or retirement as a consequence of limits stated below.

Annual leave may only be used in two-hour increments by FLSA exempt staff and in quarter hour increments by FLSA non-exempt staff. No more than 30 days of annual leave may be taken in any fiscal year, except in cases covered by the Family Medical Leave Act or in cases where the employee has no sick leave available but is dealing with legitimate medical conditions that would justify granting the employee sick leave. The Division Superintendent has the authority, for good cause shown on a case by case basis, to make other adjustments to the cap on taking annual leave.

If an employee is recovering from a job related injury, that employee may draw on accumulated annual leave, on a day to day basis, to maintain a monthly income at 2/3’s the employee’s pay prior to being placed in a worker’s compensation category. Requested leave for this purpose will be rounded to the nearest increment allowed for taking leave.

At the time an employee terminates employment with the School Board, or no longer holds a twelve-month position, the employee will be paid for unused annual leave up to 30 days at the per diem rate at the time of termination or reassignment to a non-twelve month position. Employees having 31 to 75 days of accumulated leave as of 6/30/93 will be paid for unused annual leave up to 75 days provided the 6/30/93 balance is maintained at the end of each fiscal year.
ADOPTED: June 20, 1988
RESTATEMENT: May 22, 2007; November 22, 2010; January 27, 2014
SUB-SECTION I - SPECIAL LEAVE
School Board employees shall have the following special leave options made available to them provided they meet all requirements specified under the leave option category.

Jury Duty/Subpoenaed Witness Leave—An employee subpoenaed to appear in court in a criminal case in which he is not the defendant, or a civil case in which he is not the plaintiff, may do so without loss of pay. The employee’s supervisor or principal must be notified as soon as the employee is in receipt of the subpoena to appear before the court in Virginia.

Employees who are summoned for jury duty shall fulfill this obligation without the loss of pay.

Division Superintendent’s Administrative Leave—The Division Superintendent may grant employees administrative leave for Division business not covered in other leave options.

Professional Development Leave—With the approval of the Division Superintendent, Division employees may be excused from their regular duties to attend workshops, meetings, conferences, compulsory activities associated with completion of a graduate program, or other activities whose purpose is to further Division instructional or operational goals. An employee may not use professional development leave if they are receiving payment for their services as a presenter, facilitator, organizer, etc. An employee in this case would then be required to use personal business or annual leave.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998; June 26, 2000
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014

Military Training/Military Duty Leave—employees who are members of a reserve unit of the United States Armed Forces, or the National Guard, or the naval militia shall be entitled to paid leave when they are engaged in federally funded military training duty. Paid leave shall not exceed fifteen work days per federal fiscal year.

Upon activation of the militia by order of the Governor, affected Division employees shall be granted a leave of absence from their assigned duties without loss of pay, benefits, seniority, annual leave, or sick leave available to them at the time of their activation. Additional benefits will not accrue during the leave period. When released from active duty, the employee shall resume their previously assigned duties.

ADOPTED: June 20, 1988
REVISED: November 22, 2010
REVISED: May 20, 1991; January 26, 1998
RESTATEMENT: March 15, 1993; March 25, 2002; May 22, 2007; January 27, 2014

Summer Study Leave—With the approval of the Division Superintendent, twelve month licensed employees may be granted leave without loss of pay for summer professional study provided the following conditions are fulfilled:

Leave will not exceed six weeks in any three year period.

The employee will have been in continuous employment with the Division for three consecutive years as a teacher, supervisor or administrator.

The individual remains a Division employee until July 1 of the year following the summer in which leave has been granted. Failure to remain so will cause the employee to repay the Division for accrued leave used.
Sabbatical Leave—Teachers, supervisors and administrative personnel who have been in continuous employment with the Division for five (5) years may request a leave of absence without pay for approved study programs under the following conditions:

Submission of a written request to the Chief Human Resources Officer three months in advance of the requested leave date, with written evidence of acceptance in a graduate program at an accredited institution.

Screening of applicants by the Division Superintendent with his subsequent recommendation for School Board action.

During the period of sabbatical leave the employee shall continue to accrue seniority. Annual leave, sick leave and personal business leave benefits shall not accrue during the sabbatical period. For the period of the sabbatical, the group health coverage held by the employee at the time the leave began will be kept in effect for a period not to exceed one year, provided, the employee pays the entire insurance premium.

At the end of the sabbatical leave period, the employee shall be assured of the opportunity of re-employment with the Division under the same job description and with the same salary and benefits as they held at the commencement of the leave period. The opportunity for re-employment under these conditions shall extend up to twelve months beyond the end of the leave period and shall be contingent on the existence of a vacancy.

Recipients of sabbatical leave, upon request of the Division Superintendent or the School Board, shall file with the Division Superintendent periodic reports of their activities.
SUB-SECTION J - LEAVE WITHOUT PAY

All Division employees may apply for Leave Without Pay in accordance with this section. Employees shall have the option of requesting short or long-term leave without pay.

Short-Term Leave Without Pay is any period of requested leave without pay not in excess of five work days and not covered under other leave or vacation options.

Short-term leave is to be requested by submitting a written request to the Division Superintendent. The request should stipulate the purpose of the leave and the desired start and anticipated return dates.

In the event an employee has used all other applicable leave options and is still unable to return to work, a written request for authorized leave without pay must be filled with the Division Superintendent prior to the expiration of any authorized leave.

The Division Superintendent shall have discretionary authority in granting short term leave without pay.

Long-Term Leave without Pay is any period of leave requested without pay that exceeds a period of five (5) working days. Long-term leave may be granted for no longer than the fiscal year for which the request is made.

Long-term leave may be requested by submitting a written request to the Division Superintendent. The request should stipulate the purpose of the leave and the desired start and anticipated return dates.

The Division Superintendent, at his or her discretion, shall have the authority to deny long term leave. In exercising this discretion, the Division Superintendent shall take into consideration what will best serve the needs of the building or department involved and the Division as a whole.

The School Board, with the Division Superintendent’s recommendation, shall have the authority to grant long term leave. However, the Division Superintendent shall have the authority to authorize the use of Long Term Leave through the first workday after the next regularly scheduled School Board meeting.

Time spent on long-term leave without pay is not considered to be a period of service for the purpose of determining placement on the salary schedule. Sick leave, personal business leave and annual leave will also not accrue during the period of long term leave without pay.

Group insurance plans maintained by the School Board will be kept in effect for a period not to exceed one year, provided, the employee pays the entire insurance premium.

At the end of a Board approved long-term leave of absence, the employee shall be assured of the opportunity of re-employment with the Division under the same job description and with the same salary and benefits as they held at the commencement of the leave period. The opportunity for re-employment under these conditions shall extend up to twelve months beyond the end of the leave period and shall be contingent on the existence of a vacancy.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 26, 1998; March 25, 2002; November 22, 2010
RESTATEMENT: May 22, 2007; January 27, 2014
LEGAL REFERENCES: Federal Family Medical Leave Act of 1993
Code of Virginia, Section 2.2-2802
CROSS REFERENCES: GCBD Sub Section D Staff Leaves and Absences – Sick Leave
GCBD Sub Section C Staff Leaves and Absences – Employee Leave
EMPLOYMENT OF FAMILY MEMBERS

The School Board may not employ or pay, and the superintendent may not recommend for employment, any family member of the Division Superintendent or of a School Board member. This prohibition does not apply to the employment, promotion, or transfer within the school division of any family member who

• has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher’s aide by the School Board prior to the taking of office of the Division Superintendent or any School Board member, or

• has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher’s aide by the School Board prior to the inception of the family relationship, or

• was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the school board or division superintendent of schools.

A family member employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such board member or Division Superintendent or to the inception of such relationship.

No family member of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

Family members are defined as father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law.

ADOPTED January 27, 2014

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3119.

CROSS REFERENCED BBFA School Board Members Conflict of Interest
GCI Professional Staff Assignments and Transfers

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EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

Generally
The Board will not hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

I. APPLICANTS FOR EMPLOYMENT
A. Criminal Convictions
As a condition of employment for all of its public school employees, whether full-time or part-time, permanent, or temporary, the York County School Board shall require on its application for employment certification (i) that the applicant has not been convicted of a felony or any offense involving the sexual molestation, physical or sexual abuse or rape of a child; and (ii) whether the applicant has been convicted of a crime of moral turpitude.

The York County School Board shall also require on its application for employment, as a condition of employment requiring direct contact with students, whether full-time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect shall be guilty of a Class 1 misdemeanor and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with the York County School Board shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who are offered or accept employment.

To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, York County School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment of the results of the criminal history record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and York County School Board as provided by statute.

If an applicant is denied employment because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the applicant.

B. Founded Complaints of Child Abuse or Neglect
The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part-time, permanent or temporary, provide written consent and the necessary personal information for the School Board to
obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board shall ensure that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board shall take reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

If an applicant is denied employment because of information appearing on his record in the registry, the School Board shall provide a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services shall be confidential and shall not be disseminated by the School Board.

II. EMPLOYEE CHARGES AND CONVICTIONS

A. Criminal Proceedings

An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or a misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with Policy GCPF Suspension of Staff Members.

If a current employee is suspended or dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information provided by the Central Criminal Records Exchange to the employee.

The superintendent shall inform the School Board of any notification of arrest of a school board employee received pursuant to Virginia Code §19.2-83.1. The School Board shall require such employee, whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the employee’s fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee’s criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

B. Founded Complaints of Child Abuse or Neglect

Any employee of York County School Board will be dismissed if he or she is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person’s license to teach.

III. For purposes of this policy, a court’s placing an individual on probation pursuant to VA. Code section 18.2-251 shall be treated as a conviction and as a finding of guilt.
IV. COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECKS
The School Board shall pay for the fingerprinting, criminal record check and abuse and neglect check conducted pursuant to this policy.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCPF Suspension of Staff Members
GCPD Professional Staff Discipline

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PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Substitute Teachers

Substitute teachers shall:

1. be at least 18 years old, with preference given to persons 21 years old or older;
2. possess good moral character;
3. hold a high school diploma or, have passed a high school equivalency examination approved by the Board of Education;
4. attend orientation to school policies and procedures; and
5. have a minimum of 50 semester hours of college training

The York County School Board shall seek to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.

A substitute teacher, as used in this section, is (i) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher’s absence, or (ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year. Substitutes will not be employed for less than a half day’s work.

Homebound Teachers

Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.

Part-Time Teachers

An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time. Part-time teachers shall meet the certification requirements of the State Board of Education.

Summer School Teachers

Summer school teachers shall meet all certification requirements.

Interns

Arrangements for the utilization of interns in the school division should be initiated through the Division Superintendent.

Student Teachers

The School Division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The Division Superintendent shall have the responsibility for the assignment and placement of student teachers in the school system. Student teachers shall not be used as substitute teachers.
PROFESSIONAL STAFF PROBATIONARY TERM AND CONTINUING CONTRACT

Teachers

Probationary Term
A probationary term of service of three years in York County School Division is required before a teacher is issued a continuing contract; provided, however, that upon recommendation of the Division Superintendent, a probationary teacher hired on or after January 28, 2014, may be required to serve up to two additional one year probationary periods before obtaining continuing contract status. A mentor teacher is provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers shall be evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. A teacher in his first year of the probationary period is evaluated informally at least once during the first semester of the school year. The Division Superintendent shall consider such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher’s contract. If a probationary teacher’s evaluation is not satisfactory, the School Board shall not reemploy the teacher.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. York County School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed one year, is made a part of the contract of employment; provided, however, that upon recommendation of the Division Superintendent, such probationary teacher hired on or after January 28, 2014, may be required to serve an additional one year probationary period before obtaining continuing contract status. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the contract must be given by the board on or before June 15 of each year. If the teacher requests a conference with the superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the superintendent notifies the teacher of his intention with respect to the recommendation.

Continuing Contract
Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire. Written notice of noncontinuation of the contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.
Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than June 1, the school board will notify any teacher who may be subject to a reduction in force due to a decrease in the school board’s budget as approved by the appropriating body.

Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent, the superintendent's designee or the School Board. Before recommending such reassignment, the superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent’s designee or the School Board. The School Board, superintendent or superintendent’s designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, his designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a certificate as prescribed by the Board of Education.

ADOPTED: January 27, 2014


CROSS REFERENCES: GBM Procedures for Adjusting Employee Grievances
GCB  Professional Staff Contracts
GCE  Part-Time and Substitute Professional Staff Employment
GCN  Evaluation of Professional Staff
GCPA  Reduction in Staff Work Force
GCPB  Resignation of Staff Members
GCPD  Professional Staff Discipline
GCPF  Suspension of Staff Members

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PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Assignments in General
The Division Superintendent assigns employees to positions consistent with their abilities and in accordance with the needs of the Division.
Assignment of administrative positions shall be based upon leadership skills, scholarship, character, special abilities or skills, and competence.
Opportunities for assignment to an administrative position will be made known and consideration will be given to all qualified applicants. Final selection for recommendation to the School Board for assignment to an administrative position is made by the Division Superintendent.
The Division Superintendent is authorized to assign to their respective positions in the school wherein they have been placed by the School Board all teachers, principals and assistant principals.

School Board Employees of the County School Board and are teachers of students in the York County School Division as a whole. Individual schools are operating units of the organization in which the teachers work. The County School Board will assign teachers to particular schools to provide for the effective and efficient operation of the entire School Division. Satisfying the needs of the School Division as a whole is the primary criteria for assigning teachers within the School Division but the morale of individual teachers shall be taken into account whenever transfers are being considered.

Assignment by the School Board for The School Year
For each school year the School Board shall assign each teacher to a particular school in the School Division. Such assignment shall be made upon the recommendation of the Division Superintendent and shall be effected as soon as possible after the Board of Supervisors approves the next fiscal year’s operating budget and the School Board has approved the Division Superintendent’s final operating budget.

In preparing recommended assignments for the coming school year, when the Division Superintendent anticipates conditions in the next school year that will require him to recommend transferring teachers from one school building to another, the Division Superintendent will call for volunteers for transfer from schools expected to be staffed beyond enrollment requirements for the next school year. When volunteers with the requisite licenses are unavailable teachers will be selected for transfer by the Division Superintendent on the basis of the needs of the School Division as a whole. In cases where two or more teachers have the licenses needed and more than one teacher can satisfy the needs of the School Division as a whole, the teacher who has been employed by the York County School Board for the least number of years will be recommended for transfer. Individual teachers recommended for transfer to a different school for the next school year will be advised of their status as soon as the recommended assignments list has been prepared for submission to the School Board.

Reassignment During the School Year
By this policy the School Board resolves to authorize the Division Superintendent to reassign during a school year any teacher, principal or assistant principal to any school within the School Division as the Division Superintendent, in the exercise of sound judgment, may deem to be in the best interest of the School Division. Any such transfer shall have no effect on the transferee’s salary, including supplements if any, for the balance of that school year. All such reassignments shall be made under the same guidelines specified for reassignments from one school year to the next. The teacher, principal or assistant principal so affected shall be notified as soon as possible of the transfer.
Assignment Within a School Building
The Division Superintendent is authorized to delegate to a school principal the authority to specify teaching duties of individual teachers assigned to the school by the School Board or reassigned there by the Division Superintendent.

ADOPTED: January 27, 2014

EMERGENCY PLAN ASSIGNMENTS

Some School Board employees are assigned specific duties required by various York County emergency action plans. Performance of such assignment is a condition of employment and failure to carry out such duties is grounds for disciplinary action up to and including dismissal.

ADOPTED: March 15, 1993
REVISED: March 25, 2002
RESTATEMENT: May 22, 2007; November 22, 2010; January 27, 2014
PROFESSIONAL STAFF DEVELOPMENT

The York County School Board provides a program of high-quality professional development

(i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels;

(ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;

(iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula,

(iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel, and

(v) designed to educate School Board employees about bullying and the need to create a bully-free environment.

In addition, the Board provides teachers and principals with high-quality professional development programs each year in

(i) instructional content;

(ii) the preparation of tests and other assessment measures;

(iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives;

(iv) instruction and remediation techniques in English, mathematics, science and history and social science;

(v) interpreting test data for instructional purposes;

(vi) technology applications to implement the Standards of Learning; and

(vii) effective classroom management.

All instructional personnel are required to participate each year in professional development programs.

The Board will annually review its professional development program for quality, effectiveness, participation by instructional personnel, and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.
ADOPTED: January 27, 2014


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EVALUATION OF PROFESSIONAL STAFF

Every employee of the York County School Board staff will be evaluated on a regular basis at least as frequently as required by law.

The Division Superintendent shall assure that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the York County School Board’s policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The primary purposes of evaluation are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division’s educational plan;
- to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

The procedures will be consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals. Evaluations shall include student academic progress as a significant component and an overall summative rating.

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

If a teacher’s performance evaluation during the probationary period is not satisfactory, the School Board shall not reemploy the teacher.

ADOPTED: January 27, 2014


Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers (Virginia Board of Education April 2011)

CROSS REFERENCE: CBG Evaluation of the Superintendent
                GCG Professional Staff Probationary Term and Continuing Contract

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REDUCTION IN STAFF WORK FORCE

Licensed Staff
Declines in enrollment, reductions in revenue and elimination of instructional programs can require the School Board to reduce the total number of licensed employees in the School Division in order to ensure expenditures remain within budgetary limits as required by law. Such an eventuality shall be termed a "reduction in force" and is defined as follows: a Division wide reduction in the number of full time licensed employees by removal of designated licensed employees from the School Board’s payroll.

Both probationary and continuing contract employees may be subject to a reduction in force. Employees on Family Medical Leave or other leaves of absence are eligible for a reduction in force as if they were currently an active employee. Full-time employees will be retained over temporary or part-time employees as long as their qualifications meet the needs of the Division.

The transfer of licensed employees from one school to another within the School Division to accommodate variations of individual school enrollments is not a reduction in force. In such a situation, if the employee to be transferred refuses the transfer, he/she will be subject to termination.

When the School Board authorizes a reduction in force the Division Superintendent shall act to remove the requisite number of licensed employees from the payroll in a timely manner. Whenever possible, reductions shall be realized through attrition from retirements and resignations.

Should requisite reduction in staff be unmet by normal attrition, the Division Superintendent shall present to the School Board his recommendations for achieving the needed reduction in staff. In preparing his recommendations the Division Superintendent may give consideration to retaining the most senior School Board employees whose qualifications meet the needs of the School Division.

In determining whether an employee’s qualifications meet the needs of the Division, the Division Superintendent may, in addition to seniority, also consider the employee’s capacity to add value to the total Division program, including specialized responsibilities, industry certification, AP classes, extra-curricular and co-curricular sponsorships and coaching.

In addition, licensure may be considered when determining which staff members may be subject to a reduction in force. A licensed employee whose position is abolished but who is endorsed to teach in another position/field may be retained consistent with the needs of the Division. The Division Superintendent may consider whether a licensed employee has recent teaching experience in the additional position/field in determining whether the employee will be subject to a reduction in force. In addition, licensed employees who have not or will not be able to meet licensure and/or relicensure requirements by June 1 of the year in question will be subject to a reduction in force before other employees.

Employees who have received an overall “Unsatisfactory Performance” rating on their most recent summative evaluation may be considered first for a reduction in force. The Superintendent may grant an exception to an employee on a Performance Improvement Plan who is making demonstrated and satisfactory progress toward competent performance.

Employees in administrative positions or a position with extra assigned days may be assigned to other positions within their endorsement area, consistent with seniority considerations and the needs of the Division. Such reassignment may result in a reduction in pay and/or extra days.
The length of full time continuous employment in the York County School Division defines an employee’s seniority ranking; the longer the term of full time continuous employment the more senior the employee. Seniority is that period of time (including authorized leaves but excluding employment under temporary or interim contract) commencing with the most recent term of continuous full time service with the Division based on official beginning date of employment. Should a tie in seniority exist, the tie shall be broken in the following order: date of employee’s signature on the letter of intent; date of acceptance of offer of employment; date of offer of employment; and selection by lot. Seniority is considered across the entire Division, not within one work location. Seniority is based on length of full time continuous employment in a licensed position. A change in licensed position within the Division does not affect seniority.

In presenting his recommendations for a reduction in force to the School Board the Division Superintendent shall identify any employee proposed to be terminated whose qualifications satisfy the requirements of a position being held by another less senior employee. The Division Superintendent shall state the reasons for the proposed termination of the more senior employee.

Upon approval of a reduction in force by the School Board, the Division Superintendent shall timely notify individual employees in writing of the action. Further, the Division Superintendent shall inform full time terminated employees that they will be considered for hire ahead of any other applicants for the next open position for which they are qualified. The terminated employees shall be given this priority during the twelve months immediately following their termination under the reduction in force.

A recall list will be maintained for twelve months from the date of termination due to a reduction in force. A letter, informing the employee that they are being considered for recall will be sent by certified mail to the last noted address on record for the employee. It shall be the responsibility of the employee to maintain an accurate address within the Human Resources information system. If the employee does not respond in writing within ten (10) calendar days of receipt of the letter, indicating his/her interest in being considered for recall, any right of consideration for recall will be forfeited. If the notice of consideration for recall is undeliverable because of the actions of the employee, the right to consideration for recall will be forfeited. If an employee is offered a job as a recall and the employee refuses the position, such employee will no longer be eligible for consideration for recall. In addition, if an employee has accepted a position outside of York County School Division and he/she is offered a job as a recall and such employee cannot be released from his/her position within two weeks, such employee will no longer be eligible for consideration for recall.

An employee who is the subject of a reduction in force due to an overall “Unsatisfactory Performance” rating on their most recent summative evaluation will not be eligible for recall.

ADOPTED: June 20, 1988
REVISED: March 15, 1993
RESTATEMENT: March 25, 2002; May 22, 2007; November 22, 2010; January 27, 2014

Non-Licensed Staff
Declines in enrollment, reductions in revenue and elimination of instructional programs can require the School Board to reduce the total number of employees in the School Division in order to ensure expenditures remain within budgetary limits as required by law. Such an eventuality shall be termed a "reduction in force" and is defined as follows: a Division wide reduction in the number of full time employees by removal of designated employees from the School Board’s payroll.
Employees on Family Medical Leave or other leaves of absence are eligible for a reduction in force as if they were currently an active employee. Full-time employees will be retained over temporary or part-time employees as long as their qualifications meet the needs of the Division.

The transfer of non-licensed employees or registered nurses from one school or office to another within the School Division to accommodate variations of individual school enrollments is not a reduction in force. In such a situation, if the employee to be transferred refuses the transfer, he/she will be subject to termination.

When the School Board authorizes a reduction in force the Division Superintendent shall act to remove the requisite number of employees from the payroll in a timely manner. Whenever possible, reductions shall be realized through attrition from retirements and resignations.

Should requisite reduction in staff be unmet by normal attrition, the Division Superintendent shall present to the School Board his recommendations for achieving the needed reduction in staff. In preparing his recommendations the Division Superintendent may give consideration to retaining the most senior School Board employees whose qualifications satisfy the needs of the School Division.

Employees who have received a rating of “Needs Improvement” or “Unsatisfactory” in any performance evaluation category on their most recent annual evaluation may be considered first for a reduction in force. The Superintendent may grant an exception to an employee on an improvement plan who is making demonstrated and satisfactory progress toward competent performance.

The length of full time continuous employment in the York County School Division (including authorized leaves) defines an employee’s seniority ranking; the longer the term of full time continuous employment the more senior the employee. The most recent hire date of an employee, i.e., the first date of full time service, is used to determine the seniority of employees with the same number of years of service. Should a tie in seniority exist, it shall be broken in the following order: date of acceptance of offer of employment; date of offer of employment; and selection by lot. Seniority is considered across the entire Division, not within one work location.

In presenting his recommendations for a reduction in force to the School Board the Division Superintendent shall identify any employee proposed to be terminated whose qualifications satisfy the requirements of a position being held by another less senior employee. The Division Superintendent shall state the reasons for the proposed termination of the more senior employee.

Upon approval of reduction in force by the School Board, the Division Superintendent shall timely notify individual employees in writing of the action. Further, the Division Superintendent shall inform full time terminated employees that they may be considered for hire ahead of any other applicants for the next open position for which they are qualified. The terminated employees shall be given this priority during the twelve months immediately following their termination under the reduction in force.

A recall list will be maintained for twelve months from the date of termination due to a reduction in force. A letter, informing the employee that they are being considered for recall will be sent by certified mail to the last noted address on record for the employee. It shall be the responsibility of the employee to maintain an accurate address within the Human Resources information system. If the employee does not respond in writing within ten (10) calendar days of receipt of the letter, indicating his/her interest in being considered for recall, any right of consideration for recall will be forfeited. If the notice of consideration for recall is undeliverable because of the actions of the employee, the right to consideration for recall will be forfeited. If an employee is offered a job as a recall and the employee refuses the position, such employee will no longer be eligible for consideration for recall.
Employees who are recalled to the same position in the same department from which they were originally terminated will be restored to regular employment status and not serve a probationary term. Employees who are recalled but not to the same position in the same department will have their employment status restored to include pay appropriate to the new position, length of employment service and applicable fringe benefits. The employee will be subject to a probationary period of eighteen months in the new position.

An employee who is the subject of a reduction in force due to having received a rating of “Needs Improvement” or “Unsatisfactory” in any performance evaluation category on their most recent annual evaluation will not be eligible for recall.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; March 25, 2002
RESTATEMENT: May 22, 2007; November 22, 2010; January 27, 2014
RESIGNATION OF STAFF MEMBERS

The superintendent is authorized to approve resignations of employees. Any resignation must be in writing.

A teacher may resign after June 15 of any school year with the approval of the superintendent. The teacher shall request release from contract at least two weeks in advance of the intended date of resignation. Such request shall be in writing and state the cause of the resignation. The teacher may, within one week, withdraw a request to resign. Upon the expiration of the one week period, the Division Superintendent shall notify the School Board of the decision to accept or reject the resignation. The School Board, within two weeks, may reverse the decision of the Division Superintendent. In the event that the Board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

Other employees who wish to terminate their employment must give notice at least ten school days prior to their desired separation date. Notice should be given to the employee's immediate supervisor, who will inform the superintendent. The superintendent will inform the School Board of the resignation at its next regular meeting.

The supervisor of any employee can document and submit a verbal resignation when there appears to be little likelihood of a written resignation being submitted. The Division Superintendent has the authority to waive the two-week notice requirement when the Division Superintendent determines the best interests of the school division will be served by such waiver.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCPD Professional Staff Discipline
GDB Support Staff Employment Status
PROFESSIONAL STAFF DISCIPLINE

A. Probation and Dismissal
Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause. "Incompetency" includes, but is not be limited to, consistent failure to meet the endorsement requirements for the position or one or more unsatisfactory performance evaluations.

A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the School Board to recommend that the Board of Education revoke such person's license to teach.

In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation.

If a current employee is dismissed because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

Employees of the School Board who are removed from employment for just cause by the School Board will be ineligible thereafter for employment in any school or duty station within the York County School Division.

Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year.

No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board.

B. Suspension
Employees of York County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

C. Failure to Perform Nonemergency Health-Related Services
With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

"Health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.
D. Effect of Probation Pursuant to VA. Code §18.2-251
For purposes of this policy, a court’s placing an individual on probation pursuant to VA. Code § 18.2-251 shall be treated as a conviction and as a finding of guilt.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCE Part-Time and Substitute Professional Staff Employment
GCG Professional Staff Probationary Term and Continuing Contract
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPF Suspension of Staff Members
JHC Student Health Services and Requirements
SUSPENSION OF STAFF MEMBERS

Employees of York County School Board, whether full-time or part-time, permanent or temporary, may be suspended for good and just cause

- when the safety or welfare of the York County School Division or the students therein is threatened or
- when the employee has been charged by summons, warrant, indictment or information with the commission of
  - a felony; or
  - a misdemeanor involving
    - sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia,
    - obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia,
    - drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia,
    - moral turpitude, or
    - the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the Division Superintendent or appropriate central office designee shall not suspend an employee for longer than sixty (60) days and shall not suspend an employee for a period in excess of five (5) days unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the school board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. Any employee so suspended shall continue to receive his then applicable salary unless and until the school board, after a hearing, determines otherwise. No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above-listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to the employee's salary while on suspended status shall be placed in an interest-bearing demand escrow account. Upon being found not guilty of one of the above-listed criminal offenses or upon the dismissal or nolle prosequi of the charge, such employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

In the event an employee is found guilty by an appropriate court of any of the above-listed criminal offenses and, after all available appeals have been exhausted and such conviction is upheld, all funds in the escrow account shall be repaid to the School Board.

If an employee is suspended because of information appearing on his/her criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.
No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.

The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt.

ADOPTED: January 27, 2014


CROSS REFERENCES: GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GDG Support Staff Probationary Period
GCPD Professional Staff Discipline

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NONSCHOOL EMPLOYMENT BY STAFF MEMBERS

Selling Educational Aids
No employee of the Board will take advantage of his position in the school division to promote or to sell any educational aids to York County School Division students or their parents.

Selling Within the York County Schools - Prohibited
Selling or promoting materials, services or goods by an employee to other employees, students or the public during work hours or on school property at any time is prohibited except that the Division Superintendent or his designee can authorize exceptions for specific fund raising activities.

Commissions
No School Board employee may accept any commission from any person or persons doing business with the York County School Board.

Outside Employment
The York County School Board considers employment by the School Board to be the School Board employee’s primary job. The School Board expects peak performance on the job by its employees. Employees of the School Board may accept outside employment provided that such employment does not interfere with or affect the quality of performance for which the School Board hired the employee. Employees are required to report all outside employment in accordance with procedures established by the Division Superintendent.

An employee who is on leave from York County School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the superintendent.

Licensed employees requested to serve as consultants in other school systems or educational institutions may do so with the permission of the Division Superintendent. In general, the School Board subscribes to the principle that no employee will be paid twice for the same work period. Licensed personnel serving as consultants may do so only through use of leave time with pay, leave time without pay or such leave, which in the judgment of the Division Superintendent, is in keeping with this policy.

ADOPTED: June 20, 1988
REVIEWED: November 22, 2010
REVISED: March 15, 1993; January 26, 1998
RESTATEMENT: March 25, 2002; May 22, 2007; January 27, 2014
LEGAL REFERENCES: 29 C.F.R. 825.216(e); Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.
CROSS REFERENCES: BBFA School Board Members Conflict of Interest
GAA Staff Time Schedules
GCQAB Tutoring for Pay
GCQB Staff Research and Publishing
TUTORING FOR PAY

Licensed staff members may privately contract with parents/citizens to tutor pupils attending any YCSD school including the school to which the employee is assigned. No staff member may be paid to tutor students which they directly serve in any capacity. All recommendations for students to receive individual tutoring at private expense require review by the building principal or in the absence of the principal, the Division Superintendent or his designee. In no case may School Division facilities be used for an employee’s private tutoring practice.

For purposes of this Section, tutoring shall be defined as the provision of academic assistance or instruction.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; January 22, 1996; March 25, 2002; November 22, 2010
RESTATEMENT: May 22, 2007; January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78
STAFF RESEARCH AND PUBLISHING

The York County School Board encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of division operations. The Division Superintendent shall establish regulations pursuant to which the ownership rights to works produced by employees within the scope of their employment may be assigned.

Employees who develop materials, including instructional materials and computer programs, outside the scope of their employment that have a connection to or are related to the school division shall inform the Division Superintendent in writing of their intent to develop such materials prior to commencing work.

ADOPTED: January 27, 2014

LEGAL REFERENCES: 17 U.S.C. §§ 101, 102, and 201
Code of Virginia 1950, as amended, §§ 22.1-70, 22.1-78

CROSS REFERENCES: EGAA Reproduction of Copyrighted Materials
GCQA Nonschool Employment by Staff Members

© 2/12 VSBA
SUPPORT STAFF

Support staff personnel are those employees who need not hold a license issued by the Virginia Board of Education in order to obtain their positions. This category includes, but is not limited to, non-licensed administrative, clerical, maintenance, transportation, food services, and paraprofessional positions.

Non-licensed employees and registered nurses are employees at will unless the employee is party to a duly executed employment contract with the School Board.

Except for those employees working under contract, the term of employment will be considered to coincide with the employee’s pay period.

All annual salaries, as established in the School Board’s Pay Plan, shall be paid in equal monthly or bi-weekly increments for such time as the employee continues as an employee of the School Board. Employees paid on an hourly basis shall be paid based on the number of hours worked in the pay period.

Non-licensed employees and registered nurses shall be hired and assigned to positions established by the Division Superintendent for the effective and efficient administration and operation of the York County School Division. Annually the Division Superintendent shall publish his administrative organization and shall affect such other measures as he deems necessary for the efficiency and effectiveness of administrative and support components of the School Division.

ADOPTED: June 20, 1988
REVISED: March 15, 1993; August 22, 1994; January 26, 1998; March 25, 2002
RESTATEMENT: May 22, 2007; November 22, 2010; January 27, 2014

CROSS REFERENCES: GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GCPB Resignation of Staff Members
GCPF Suspension of Staff Members
GDB Support Staff Employment Status
SUPPORT STAFF EMPLOYMENT STATUS

Support staff are not issued written contracts unless such contracts are required by law. The employment of support personnel may be terminated with fifteen calendar days’ notice. Support personnel may also be subject to immediate dismissal for just cause. Support personnel who are removed from employment for just cause shall be ineligible thereafter for employment by York County School Board. Employees of York County School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-78

CROSS REFERENCES: GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
GDG Support Staff Probationary Period
GCPF Suspension of Staff Members
SUPPORT STAFF PROBATIONARY PERIOD

The probationary period for all support staff positions is eighteen months. Employees who have successfully completed the probationary period for one position will serve another probationary period if they move to another position.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79

CROSS REFERENCES: GD Support Staff
                  GDB Support Staff Employment Status

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SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

Support staff shall be assigned to positions for which their qualifications meet the needs of the school division's operations.

Support staff personnel may request a transfer to a position within their area of competence and for which they are qualified. Support staff personnel may be transferred to positions for which their qualifications best meet the needs of the school division.

ADOPTED: January 27, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78

CROSS REFERENCES: GA Personnel Policies Goals, Standards and Definitions
                 GD Support Staff
                 GDB Support Staff Employment Status
                 GDG Support Staff Probationary Period

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EVALUATION OF SUPPORT STAFF

Every employee of the York County School Board will be evaluated on a regular basis. The Division Superintendent shall assure that cooperatively developed procedures for support staff evaluations are implemented within the division and included in the School Board’s policy manual. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee.

The primary purposes of evaluation and assistance are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division’s educational plan;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
- to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

ADOPTED: January 27, 2014


CROSS REFERENCES: CBG Evaluation of the Superintendent
                  GCN Evaluation of the Professional Staff
                  GD Support Staff
                  GDB Support Staff Employment Status
                  GDG Support Staff Probationary Period

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SCHOOL BUS DRIVERS

Eligibility for Employment
Any applicant for employment operating a school bus transporting pupils must:

a. have a physical examination of a scope prescribed by the Board of Education and furnish a form prescribed by the Board of Education showing the results of such examination

b. permit the Division to obtain a statement or copy of records from the Department of Motor Vehicles showing that the applicant, within the preceding five years, has not been convicted of a charge of driving under the influence of alcohol or drugs, convicted of a charge of refusing to take a blood or breath test, convicted of a felony or assigned to any alcohol safety action program or driver alcohol rehabilitation program pursuant to Va. Code § 18.2-271.1 or, within the preceding 12 months, has not been convicted of two or more moving traffic violations or required to attend a driver improvement clinic by the Commissioner of the Department of Motor Vehicles pursuant to Va. Code § 46.2-498

c. furnish a statement signed by two reputable persons who reside in the school division or in the applicant's community that the person is of good moral character

d. exhibit a license showing the person has successfully undertaken the examination prescribed by Va. Code § 46.2-339

e. have reached the age of 21 on the first day of the school year

f. submit to testing for alcohol and controlled substances as required by state and federal law and regulation

Persons for whom registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for employment as a school bus driver.

Persons hired as school bus drivers must annually furnish the documents listed in (a) and (b) above prior to the anniversary date of their employment as a condition of continued employment as a school bus operator.

Drug and Alcohol Testing
The school division has a drug and alcohol testing program for school bus drivers and other employees who are required to hold a commercial driver's license (CDL) by U.S. Department of Transportation Regulations who perform safety-sensitive functions as required by federal and state law and regulations.

Prohibited Conduct
Drivers are prohibited from alcohol possession and/or use on the job, use during the four hours before performing safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty or performing safety-sensitive functions, and use during eight hours following an accident or until after undergoing a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substances except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the substance does not adversely affect his ability to safely operate a commercial motor vehicle.
Required Testing
Drivers are subject to pre-employment/pre-duty drug testing, reasonable suspicion alcohol and drug
testing, random alcohol and drug testing, post-accident alcohol and drug testing, return-to-duty and
follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. Pursuant to
state law, drivers are subject to pre-employment alcohol testing. Any employee who refuses to submit
to a post-accident, random, reasonable suspicion or follow-up test shall not perform or continue to
perform safety-sensitive functions.

Notification
Each driver receives educational materials that explain the requirements of federal law and regulations
together with a copy of the division's policy and procedures for meeting these requirements. Each driver
must sign a statement certifying that he/she has received a copy of the above materials and the division
maintains this signed copy.

Before performing each alcohol or controlled substances test, the division will notify the driver that the
test is required by federal law or regulation.

Consequences if Testing Indicates Drug or Alcohol Misuse
If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance,
the employee shall be removed immediately from safety-sensitive functions in accordance with the
federal regulations. All drivers shall be advised of resources available and before a driver is re-instated, if
at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required
rehabilitation and undergo a return-to-duty test with negative urine sample.

Record Retention
The division maintains records in compliance with the federal regulations in a secure location with
controlled access. With the driver's consent, the division may obtain any of the information concerning
drug and alcohol testing from the driver's previous employer. A driver is entitled upon written request
to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances
including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a
driver. Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of
the driver's request.

Test procedure
The division administers alcohol and controlled substance tests in accordance with federal laws.

ADOPTED: January 27, 2014

LEGAL REFERENCES: 49 U.S.C. § 3113649; CFR § 382.101 et seq.; Code of Virginia, 1950, as amended,

CROSS REFERENCES: GBEA Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a
Controlled Substance

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SECTION H
| HA | Negotiations Legal Status |
Section H: Negotiations

File: HA (formerly SECTION 8.1)

NEGOTIATIONS LEGAL STATUS

The Supreme Court of Virginia has stated that local school boards possess neither constitutional nor statutory authority to enter into collective bargaining agreements with their employees.

ADOPTED:       June 20, 1988
RESTATEMENT:   December 18, 2000
REVISED:       February 22, 2010; December 17, 2012

SECTION I
SECTION I: INSTRUCTION

IA  Instructional Goals and Objectives
IAA Notification of Learning Objectives
IC/ID School Year/School Day
IE  Moment of Silence
IEA Pledge of Allegiance
IEB National Motto
IEC Bill of Rights of the Constitution of the United States
IF  Curriculum Development and Adoption
IFV Curriculum Change
IGA Basic Instructional Program
IGAD Career and Technical Education
IGAE/IGAF Health Education/Physical Education
IGAG Teaching about Drugs, Alcohol and Tobacco
IGAH Family Life Education (FLE)
IGAI Character Education
IGAJ Driver Education
IGAK Alternatives to Animal Dissection
IGAU Music and Art Education
IGBA Programs for Students with Disabilities
IGBB Programs for Gifted Students
IGBC Family Involvement
IGBE Remedial and Summer Instruction Program
IGBF Limited English Proficient Students
IGBG Alternative Means of Instruction
IGBGA Online Courses and Virtual School Programs
IGBH Alternative School Programs
IGBI Advanced Placement Classes and Special Programs
IGBU Extraordinary Educational Experiences
IGDA Student Organizations
IGE Adult Education
IHB Class Size
IIA Instructional Materials
IIAA Textbook Selection, Adoption and Purchase
IIAB Supplementary Materials Selection and Adoption
IIAE Innovative or Experimental Programs
IIAU Inventory and Replacement of Instructional Materials
IIBD School Libraries/Media Centers
IIBEA/GAB Acceptable Computer System Use
IICA Field Trips
IICAU Request for Financial Support for Student Trips
IICB/IICC Community Resource Persons/School Volunteers
IJ  Guidance and Counseling Program
IKB Homework
IKEB Acceleration
IKF Standards of Learning Tests and Graduation Requirements
IKFA Locally Awarded Verified Credits
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INSTRUCTIONAL GOALS AND OBJECTIVES

The County School Board of York County, Virginia shall develop and implement a program of instruction for grades kindergarten through 12 that is aligned to the Standards of Learning established by the Board of Education and that meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.

The School Board shall also implement:

1. programs in grades kindergarten through three that emphasize developmentally appropriate learning to enhance success
2. programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school; such programs shall include components that are research-based
3. career and technical education programs incorporated into the kindergarten through grade 12 curricula
4. educational objectives in middle and high school that emphasize economic education and financial literacy pursuant to Va. Code § 22.1-200.03
5. early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law
6. early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs
7. educational alternatives for students whose needs are not met in programs prescribed elsewhere in the Standards of Learning
8. adult education programs for individuals functioning below the high school completion level
9. a plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students
10. an agreement for postsecondary degree attainment with a community college in Virginia specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from a community college concurrent with a high school diploma; such agreement shall specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher
11. a plan to notify students and their parents of the availability of dual enrollment and Advanced Placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the Advanced Placement and International Baccalaureate examinations; this plan shall include notification to students and parents of the agreement with a community college in Virginia to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma
12. identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs
13. early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students
14. incorporation of art, music, and physical education as a part of the instructional program at the elementary school level
15. a program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year; such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the School Board
16. a program of student services for grades kindergarten through grade 12 that shall be designed to aid students in their educational, social, and career development
17. the collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program

ADOPTED: December 16, 2013

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1 253.13:1

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NOTIFICATION OF LEARNING OBJECTIVES

I. Annual Notice

At the beginning of each school year, each school within the York County School Division will provide to its students’ parents or guardians information on the availability of and source for receiving:

- the learning objectives developed in accordance with the Standards of Accreditation to be achieved at their child’s grade level, or, in high school, a copy of the syllabus for each of their child’s courses;
- the Standards of Learning (SOLs) applicable to the child’s grade or course requirements and the approximate date and potential impact of the child’s next SOL testing;
- an annual notice to students in all grade levels of all requirements for Board of Education-approved diplomas; and
- the board’s policies on promotion, retention, and remediation.

The Superintendent will certify to the Department of Education that the notice required by this policy has been given.

II. Notice of Credits Needed for Graduation and of the Right to a Free Public Education

A. The school division will notify the parent of rising eleventh and twelfth grade students of

- the number and subject area requirements of standard and verified units of credit required for graduation pursuant to the Standards of Accreditation and
- the remaining number and subject area requirements of such units of credit the individual student requires for graduation.

B. The school division will notify the parent of students with disabilities who have an Individualized Education Program (IEP) and who fail to meet the requirements for a standard or advanced studies diploma of the student’s right to a free and appropriate education to age 21, inclusive, pursuant to Va. Code § 22.1-213 et seq.

C. The school division will notify the parent of students who fail to graduate or who fail to achieve the number of verified units of credit required for graduation as provided in the standards of accreditation and who have not reached 20 years of age on or before August 1st of the school year of the right to a free public education. If the student who does not graduate or achieve such verified units of credit is a student for whom English is a second language, the School Board will notify the parent of the student’s opportunity for a free public education in accordance with Va. Code § 22.1-5.

ADOPTED: December 16, 2013


8 VAC 20-131-270
SCHOOL YEAR/SCHOOL DAY

School Year
The length of the school year will be at least 180 teaching days or 990 teaching hours. The County School Board of York County, Virginia establishes a biennial calendar by May 1 of each year preceding the biennium specifying the exact number of teaching and professional days in accordance with state statute. The calendar is subject to change based on unexpected events during the course of any school year. Days on which a school or schools or all the schools in the division are closed due to severe weather or other emergencies will be made up as provided below if necessary to meet these requirements.

Make Up Days
If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in a school division for

- five or fewer days will be made up by adding teaching days to the school calendar or extending the length of the school day to make-up for days missed;
- six days or more, the first five days plus one day for each two days missed in excess of the first five will be made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any school in a school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement.

The Board of Education may waive the requirement that school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency under certain circumstances. If the school board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the Division Superintendent and chairman of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the School Division will make up the missed instructional time.

School Calendar
The first day of school will be after Labor Day unless the Board of Education waives this requirement based on the school board’s certifying that it meets one of the good cause requirements in the Code of Virginia, § 22.1-79.1.B.

The School Board will establish the School Division’s calendar and teaching contracts in accordance with applicable regulations of the Board of Education to include contingencies for making up teaching days and teaching hours missed for emergency situations.
School Day

The standard school day for students in grades K through 12 will average at least 5-1/2 hours, excluding breaks for meals.

All students in grades K through 12 will maintain a full day schedule of classes (5-1/2 hours), unless a waiver is granted in accordance with policies defined by the School Board.

Each elementary school shall provide students with a daily recess during the regular school year, as determined appropriate by the school.

The secondary school class schedule shall contain a minimum of 140 clock hours for each unit of credit. When credit is awarded in less than whole units, the increment awarded must be no greater that the fractional part of the 140 hours of instruction provided.

The time for opening and closing schools will be established by the School Board upon recommendation of the Division Superintendent, provided that the daily program for students in grades K through 12 will average at least 5 ½ hours, not including meal intermissions. If the required program length is maintained, the School Board may approve occasional shortened days for staff development, conferences, planning, and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours.

When exceptions in the length of the daily program are necessary for special education, alternative education, double shifts, and scheduling or other unusual situations, the School Board will request approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are requested.

The length of the work day for employees will be determined by the School Board. It will be of sufficient length to allow for the daily program for students and additional time as may be necessary for such activities as planning, preparation, meetings, workshops, conferences, meal intermissions, or other contractual obligations.

ADOPTED: June 20, 1988

RESTATEMENT: January 24, 2011


8 VAC 20-131-150
8 VAC 20-131-200
MOMENT OF SILENCE

In accordance with the Code of Virginia, each teacher shall observe a moment of silence at the beginning of each school day.

The teacher responsible for each class shall make sure that each student: (1) remains seated and silent and (2) does not disrupt or distract other students during the moment of silence. The moment may be used for any lawful silent activity, including personal reflection, prayer and meditation. Teachers shall not influence, in any way, students to pray or meditate or not to pray or meditate during the moment of silence.

ADOPTED: December 16, 2013

LEGAL REFERENCE: Code of Virginia, § 22.1-203
PLEDGE OF ALLEGIANCE

The Pledge of Allegiance, as established in 4 U.S.C. § 4, shall be recited daily in each classroom of the York County School Division.

During the recitation of the Pledge, students shall stand and recite the Pledge while facing the flag with their right hand over their hearts or in an appropriate salute if in uniform.

No student shall be compelled to recite the Pledge if he, his parent or legal guardian objects on religious, philosophical, or other grounds to his participating in this exercise. Students who are exempt from reciting the Pledge shall quietly stand or sit at their desks while others recite the Pledge and shall make no display that disrupts or distracts those who are reciting the Pledge.

Appropriate accommodations shall be made for students who are unable to comply with the procedures described herein due to disability.

ADOPTED: December 16, 2013


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NATIONAL MOTTO

The statement “‘In God We Trust,’ the National Motto, enacted by Congress in 1956” shall be posted in a conspicuous place in each school for all students to read.

ADOPTED: December 16, 2013


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BILL OF RIGHTS OF THE
CONSTITUTION OF THE UNITED STATES

The Bill of Rights of the Constitution of the United States shall be posted in a conspicuous place in each school for all students to read.

ADOPTED: December 16, 2013


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CURRICULUM DEVELOPMENT AND ADOPTION

The curriculum is a coherent and comprehensive plan for teaching and learning built upon a framework that promotes continuity and the cumulative acquisition and application of skills. The curriculum shall state clearly and specifically what students are expected to know and be able to do by grade level and course. The County School Board of York County, Virginia curricula shall meet or exceed the requirements of the Code of Virginia and regulations of the Virginia Board of Education and, at a minimum, shall be aligned to the Standards of Learning.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003, November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011

LEGAL REFERENCE: Code of Virginia, 1950, as amended, Sections 22.1-78; 22.1-253.13:1

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CURRICULUM CHANGE

Assessment of educational needs is the basis for proposed instructional programs. Requests for new courses and non-state adopted instructional materials are forwarded to the Division Superintendent who submits a recommendation to the School Board for appropriate action. The School Division strives to equalize programming at all schools. Requests for new courses must support the Standards of Learning and School Board initiatives. The Division Superintendent may establish a Program of Studies Committee as necessary to meet School Division needs. At the secondary level, the Program of Studies is reviewed annually.

To determine decisions relative to curriculum, the administrative staff should actively involve the principal parties (e.g., teachers, parents, students, administrators and/or various appropriate community groups) affected by the decision.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003, November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011
BASIC INSTRUCTIONAL PROGRAM

The instructional program of the York County School Division will emphasize the development, application and synthesis of knowledge, concepts, and skills as prescribed in the Virginia Standards of Learning. Students will be provided a challenging curriculum and will be engaged in diverse and research-based instructional programs. The instructional program will prepare all students for future employment, post-secondary education of their choice, and to make productive contributions to their community and world.

The various instructional programs shall be developed with the view toward maintaining balanced, integrated, and sequentially articulated curricula which shall serve the educational needs of all school-aged children in the School Division.

More specifically, the program of instruction will focus on and make connections between reading; writing; oral skills; mathematical concepts and computations; scientific concepts and processes; essential skills and concepts of citizenship; history; economics; geography; government; foreign languages; international cultures; proficiency in the use of computers and related technology; health and physical education; fine and practical arts; and career and technical education.

The instructional program will emphasize developmentally appropriate learning and address the development of the whole child to include a sense of responsibility, self-discipline, character and integrity.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011

CAREER AND TECHNICAL EDUCATION

The County School Board of York County, Virginia will provide career and technical educational programs incorporated into the kindergarten through twelfth grade curricula that include

- knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;
- career exploration opportunities in the middle school grades; and
- competency-based career and technical education programs which integrate academic outcomes, career guidance and job-seeking skills for all secondary students based on labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school.

The School Board will develop and implement a plan to ensure compliance with this Policy. This plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011


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HEALTH EDUCATION/PHYSICAL EDUCATION

Each school shall organize and maintain a physical and health education program in accordance with State Board of Education regulations and State Board of Health guidelines.

The County School Board of York County, Virginia’s goal is that a program of physical fitness will be available to all students for at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular activities, and other programs and activities, to include recess.

ADOPTED: December 16, 2013

TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

Each student shall receive instruction related to alcohol and drug abuse and smoking and health. The health education program will include instruction in drug and substance abuse prevention. It will encourage and support organizations and activities that will develop a positive peer influence concerning substance abuse and create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear of reprisal.

Each student shall receive instruction concerning the public safety hazards and dangers of alcohol abuse, underage drinking, and drunk driving.

Each individual school staff and the central office staff maintain close coordination with other public agencies in the prevention of drug abuse and in the rehabilitation of drug users.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999; January 24, 2011

LEGAL REFERENCE: Code of Virginia, 1950, as amended, Section 22.1-206
8 VAC 20-720-90
FAMILY LIFE EDUCATION (FLE)

Generally

The County School Board of York County, Virginia approves the inclusion of family life education (FLE) in the curriculum. Instruction shall be organized and maintained under the FLE standards of learning objectives developed by the State Department of Education.

Community Involvement Team

Under procedures approved by the School Board, a community involvement team shall be established. The team may include but not be limited to school administrators, teachers, parents, clergy, medical professionals, mental health professionals, and others in the community.

Staff Training

Teachers in the Family Life Education program will participate in training when provided by the Virginia Department of Education. The superintendent, or a designee, shall appoint an FLE leader for the School Division. The FLE leader will assist in training teachers, work with the community involvement team, and assist in the implementation and evaluation of the program.

Separate Sessions

Portions of classes in the FLE program which deal exclusively with human sexuality may be conducted in separate sessions for boys and girls.

"Opt out" Procedures

The Division Superintendent shall develop "opt out" procedures for parents or guardians who do not want their children included in all or part of the FLE program.

Annual Review

The FLE curriculum shall be reviewed annually. Such review shall allow for community input.

Right of Parental Review

A parent or guardian shall have the right to review the family life curricula, including all supplemental materials used in the program.

The School Board shall develop and distribute to the parents or guardians of students participating in the Family Life Education program a summary designed to assist them in understanding the program implemented in its School Division and to encourage parental guidance and involvement in the instruction of the students. Such information shall reflect the curricula of the program as taught in the classroom. The following statement will be included on the summary: "Parents and guardians have the
right to review the Family Life Education program offered by the School Division, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of Family Life Education instruction."

ADOPTED: June 20, 1988

REVISED: November 24, 2003, November 27, 2007; December 16, 2013

RESTATEMENT: April 18, 1994; April 19, 1999; January 24, 2011

LEGAL REFERENCE: Code of Virginia, Section 22.1-207.1, 22.1-207.2.
8 VAC 20-131-170.
CHARACTER EDUCATION

The County School Board of York County, Virginia shall establish, within its existing programs or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the School Division, or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems, and develop civic-minded students of high character. The program shall be cooperatively developed with students, parents, and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring, and citizenship.

Character education shall be interwoven into the school procedures and environment so as to instruct primarily by example, illustration, and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program shall also address the inappropriateness of bullying, as defined in the Student Conduct Policy Guidelines adopted by the Board of Education pursuant to § 22.1-279.6.

Character education is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth of Virginia. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500, may be taught as representative of such civic values.

ADOPTED: June 20, 1988
RESTATEMENT: April 19, 1999; January 24, 2011
LEGAL REFERENCE: U.S. Const. amend. 1.
Code of Virginia, Section 22.1-208.01
Superintendent’s Memorandum No. 45 (Mar. 10, 2000).
DRIVER EDUCATION

A program of driver education in the safe operation of motor vehicles and knowledge of rules, regulations and laws shall be offered in the high schools to eligible students in accordance with Virginia law and with Virginia Department of Education regulations. The program shall include instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, distracted driving, organ and tissue donor awareness, and fuel-efficient driving practices. The behind-the-wheel portion of driver education is not offered in the School Division.

Necessary certification of students' academic standing and compliance with compulsory attendance laws shall be provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

At the beginning of each school year and thereafter as necessary, the Division Superintendent shall report to the VDOE the name and driver’s license number of all persons providing instruction in driver education for the School Division.

ADOPTED: June 20, 1988

REVISED: November 24, 2003, November 27, 2007; January 24, 2011; December 16, 2013

RESTATEMENT: April 18, 1994; April 19, 1999

LEGAL REFERENCE: Code of Virginia, 1950, as amended, §§ 22.1-204; 46.2-335, 46.2-325, 46.3-334, 46.2-340.

8 VAC 20-340-10.
ALTERNATIVES TO ANIMAL DISSECTION

The County School Board of York County, Virginia provides one or more alternatives to animal dissection for students enrolled in biological sciences classes that incorporate dissection exercises. These alternatives may include computer programs, Internet simulations, plastic models, videotapes, digital videodiscs, and charts. The alternative techniques require a comparable amount of time and effort as do the dissection exercises and provide comparable depth and scope of learning. The alternative techniques provide the student, through means other than dissection, with knowledge similar to that expected to be gained by other students in the course who perform, participate in, or observe the dissection. Testing procedures that do not require the use of dissected specimens are provided for those students who choose an alternative technique.

The Division Superintendent will determine procedures for implementing alternatives to animal dissection.

ADOPTED: September 28, 2004

REVISED: November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011

LEGAL REFERENCE: Code of Virginia 1950, as amended, § 22.1-200.01. Guidelines for Alternatives to Dissection (Attachment to Virginia Department of Education Superintendent’s Memo #161 (Aug. 6, 2004)).
MUSIC AND ART EDUCATION

Music and art instruction shall be offered in all schools.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999; January 24, 2011
PROGRAMS FOR STUDENTS WITH DISABILITIES

The County School Board of York County, Virginia, ensures that free and appropriate educational programs and services are available to identified students with disabilities in compliance with state and federal regulations pursuant to IDEA ‘04 and Section 504 of the ADA Amendments Act of 2008 and the Rehabilitation Act of 1973.

A child find program shall be established and designed to identify, locate and evaluate those children from birth to 21 inclusive who may have disabilities and may need special education and related services. The School Board shall ensure that a free, appropriate public education will be available for all children and youth with disabilities, ages 2 through 21, who are residents of York County, Virginia.

The School Board shall ensure that students with disabilities and their parents or guardians are guaranteed the appropriate procedural safeguards in the process of identification, evaluation, placement, and provision of an appropriate education program. To the maximum extent appropriate, students with disabilities will be educated with children who are not disabled. Prior to the identification, evaluation, placement, or provision of a free appropriate public education to a disabled student, a full explanation of all procedural safeguards shall be made available to parents.

An Individualized Education Program (IEP) shall be designed and maintained for each child eligible for special education under the Individuals with Disabilities Education Act. The program will be developed in a meeting with the child’s teachers, parent(s), the student (when appropriate), School Division representative qualified to provide or supervise the provision of special education services and other individuals at the discretion of the parents or school division in accordance with State and federal law. This IEP shall be reviewed at least annually.

The IEP shall be inclusive of areas specified by State and Federal statutes and regulations.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999

29 U.S.C. § 701 et seq.
42 U.S.C. § 12101 et seq.
8 VAC 20-81-50.; 8 VAC 20-81-80.; 8 VAC 20-81-100.; 8 VAC 20-81-110.;
8 VAC 20-81-130.; 8 VAC 20-81-170.
PROGRAMS FOR GIFTED STUDENTS

The County School Board of York County, Virginia shall approve a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. The plan for the education of gifted students shall be accessible through the School Division’s website and the School Division will ensure that printed copies of the plan are available to citizens who do not have online access.

The School Division has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual aptitude.

The School Division will provide written notification to and seek written consent from parents and legal guardians to conduct any required assessment to determine a referred student’s eligibility for the School Division’s gifted education program, and provide services for an identified gifted student in the School Division’s gifted education program.

The School Division may establish a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the School Division. If established, the committee will annually review the School Division’s plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the Division Superintendent and the School Board.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011

FAMILY INVOLVEMENT

Generally

The County School Board of York County, Virginia 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 keeping with these beliefs, it is the intention of the School Board that staff will facilitate strong school-family relationships, including welcoming school environments and effective two-way communication with families.

Parental Involvement in Title I Plan

The County School Board of York County, Virginia encourages parents of children eligible to participate in Title I, Part A, programs to participate in the development of the School Board’s Title I plan. Parents may participate by

- Each school will convene an annual Open House meeting during October or November.
- Two opportunities to attend the Open House will be provided, one during the daytime and one during the evening.
- Each school will establish a Title I Advisory Council that meets on a quarterly basis.
- One member of each school council will serve on the School Division Title I Advisory Council, which will meet once per semester.
- Functions of the Title I advisory councils include sharing information about school and School Division services and opportunities for remediation/enrichment as well as reviewing data, school-parent compacts, and Title I policies.
- Meeting agendas and minutes for the School Division and school-level Title I Advisory Council meetings will be available to parents via the School Division email notification service, the y-Line.
- Parents who are not able to attend these meetings may submit comments on agendas and minutes in writing.

Parental Involvement in School Review and Improvement

The County School Board of York County, Virginia encourages parents of children eligible to participate in Title I, Part A, to participate in the process of school review and, if applicable, school improvement as implemented by 20 U.S.C. § 2316. Parents may participate by

- The Title I Advisory Council meetings will be open to all parents.
- In the event a school is determined in need of improvement by the Virginia Department of Education, the function of the school-level Title I Advisory Council will include providing input to assist schools in modifying and updating the School Improvement Plan.
- In the event a school is determined in need of improvement by the Virginia Department of Education, the Title I Advisory Council will provide ongoing communication and monitoring concerning the progress of the goals and objectives outlined in the School Improvement Plan.
School Division Responsibilities

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

- provide assistance to parents of children served by the school or School Division, 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
- 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
- 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
- to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children
- 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
- provide such other reasonable support for parental involvement activities as parents may request

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

- provide necessary literacy training from Title I funds if the School Division has exhausted all other reasonable available sources of funding for such training
- 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
- establish a divisionwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section
- 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

- 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 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 responding to any such suggestions as soon as practicably possible

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.

ADOPTED: October 24, 1988


RESTATEMENT: April 19, 1999; January 24, 2011; December 15, 2014

REMEDIAL AND SUMMER INSTRUCTION PROGRAM

Generally

The County School Board of York County, Virginia shall develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk, including those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. The Division Superintendent shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs.

Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the Division Superintendent to be appropriate to the academic needs of the student.

Tuition is charged for academic programs offered during the summer, except for programs that receive special funding. Individualized programs may be required for certain students. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition.

The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation which has been selected by his parent, in consultation with the Division Superintendent or designee, and is either (i) conducted by an accredited private school or (ii) a special program which has been determined to be comparable to the required public school remediation program by the Division Superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.

Targeted mathematics remediation and intervention will be provided to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any
diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

The principal or designee shall annually evaluate and modify, as appropriate, the remediation plan based on an analysis of the percentage of students meeting their remediation goals and consideration of the pass rate on the Standards of Learning assessments.

Summer School

The course content and the quality of instruction in the summer school program shall be comparable to that offered during the regular school term. Students must meet the requirements for SOL testing if appropriate.

Credit for repeated work will ordinarily be granted on the same basis as that for new work. With prior approval of the principal, however, students may be allowed to enroll in repeat courses to be completed in not less than 70 clock hours of instruction per unit of credit. Students must meet the requirements for SOL testing if appropriate.

Summer school instruction which is provided as part of a remedial program shall be designed to improve specific identified student deficiencies.

Compulsory Attendance

When a student is required to participate in a remediation program pursuant to this policy, the Division Superintendent may seek immediate compliance with the compulsory school attendance laws if a reasonable effort to seek the student’s attendance, including direct notification of the parents of such student of the attendance requirement and failure of the parents to secure the student’s attendance, have failed and the Division Superintendent determines that remediation of the student's poor academic performance, passage of the Standards of Learning Assessment in grades three through eight, or promotion is related directly to the student’s attendance in the remediation program.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003; November 27, 2007; January 24, 2011; December 16, 2013

LIMITED ENGLISH PROFICIENT STUDENTS

Generally

The County School Board of York County, Virginia shall provide programs to improve the education of limited English proficient children by assisting the children to learn English and meet Virginia’s challenging academic content and student academic achievement standards.

Assessments

The School Division will annually assess the English proficiency of all students with limited English proficiency.

Notification

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

- the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction education program;
- the child’s level of English proficiency, how that level was assessed, and the status of the child’s academic achievement;
- the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
- how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
- how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program;

- in the case of a child with a disability, how such program meets the objectives of the Individualized Education Program of the child; and
- information pertaining to parental rights that includes written guidance
  - detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available, and
• assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the School Division.

For a child who has not been identified for participation in a language instruction education program prior to the beginning of the school year, the School Division shall provide the notice detailed above within 2 weeks of the child being placed in the program.

The information described above will be provided to parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

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

ADOPTED: November 27, 2007
REVISED: December 16, 2013
RESTATEMENT: January 24, 2011
Code of Virginia, Section 22.1 – 253.13:1
ALTERNATIVE MEANS OF INSTRUCTION

Students completing work in an alternative setting may earn credits towards a diploma with prior administrative approval. Courses taken for credit toward a diploma must be approved as a standard course in the Secondary Program of Studies according to all pertinent School Board policy.

Credit may be awarded based on achievement level of a student rather than on standard clock hours. Alternative credit is intended for exceptional circumstances, including but not limited to: alternative education programs, targeted remediation efforts, and homebound instruction. Alternative credit is not intended as a general replacement for the current clock hour standard.

Homebound Instruction

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

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

Instruction through Alternative Technological Means

Standard units of credit will be awarded for the successful completion of courses delivered through emerging technologies and other similar means when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher, or a person eligible to hold a Virginia license, and approved by the School Board. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. The Division Superintendent will develop regulations governing this method of delivery of instruction in accordance with the regulations of the Board of Education.

ADOPTED: June 20, 1988; February 22, 2000; November 27, 2007

REVISED: August 26, 2002; November 24, 2003, November 27, 2007; January 24, 2011; December 16, 2013

RESTATEMENT: April 18, 1994; April 19, 1999

8 VAC 20-131-180.
ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS

The County School Board of York County, Virginia may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts shall be exempt from the Virginia Public Procurement Act.

Information regarding online courses and programs that are available through the school division will be posted on the division’s website. The information will include the types of online courses and programs available to students through the division, when the division will charge tuition for nonresident students, and the granting of high school credit.

Any student enrolled in any online course or virtual program offered by the school division shall be enrolled in a public school in Virginia as provided in Va. Code § 22.1-3.1. The student’s parent or guardian shall give written permission prior to the enrollment of the student in any full-time virtual program offered by the School Division.

A student who resides in the York County, Virginia will not be charged tuition for enrolling in any online course or virtual program offered by the School Division. However, tuition may be charged to students who do not reside within the boundaries of York County, Virginia.

Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect.

The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

For purposes of this policy, the following definitions apply.

"Multidivision online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board’s online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online
courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management.

ADOPTED: December 16, 2013

ALTERNATIVE SCHOOL PROGRAMS

When a student is long-term suspended by the Division Superintendent or his/her designee or long-term suspended or expelled from school by the County School Board of York County, Virginia, an alternative plan of education may be offered to the student at a time to be arranged by the school administration or an identified student’s IEP Team.

An alternative education program may be offered by the County School Board of York County, Virginia to a student seeking admission to the York County School Division after being long-term suspended or expelled from another school division.

In accordance with the procedures set forth in Section 22.1-277.2:1 of the Code of Virginia, any student charged with an offense relating to the Commonwealth’s laws may be placed in an alternative education program.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999; December 16, 2013

LEGAL REFERENCE: Code of Virginia, Section 22.1-277.05, 22.1-277.06, 22.1-277.2:1, 22.1-277.2, 22.1-209.1:2
Standards of Quality
ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS

Students and their parents shall be notified of the availability of dual enrollment, advanced placement classes, the International Baccalaureate program, and Academic Year Governor’s School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations. Students and their parents shall also be notified of the program with a community college to enable students to complete an associate’s degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma. The Division Superintendent shall promulgate regulations to implement this policy, which shall ensure the provision of timely and adequate notice to students and their parents.

ADOPTED: November 27, 2007; December 14, 1998


RESTATEMENT: January 24, 2011

LEGAL REFERENCE: Code of Virginia, 1950, as amended, Section 22.1 – 253.13:1 D.
EXTRAORDINARY EDUCATIONAL EXPERIENCE

An extraordinary educational experience is an educational opportunity for students to be involved in a learning setting outside of the School Division for an extenuated period of time. Students apply to participate in an extraordinary educational experience. While extraordinary educational experiences can have merit, the School Division encourages students and parents to limit excessive, extended absences from school. Application for and approval of an extraordinary educational experience include consideration by the school principal, parent, student, and appropriate teachers. Guidelines and procedures for the extraordinary educational experience are established by the Superintendent.

ADOPTED: May 21, 1990

REVISED: April 19, 1999; November 24, 2003, November 27, 2007

RESTATEMENT: April 18, 1994; January 24, 2011; December 16, 2013
STUDENT ORGANIZATIONS

Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations should bear a clear relationship to the regular curriculum.

Secondary school students may also organize and conduct meetings of noncurriculum-related groups. Any secondary school which permits one or more noncurriculum-related student group to meet on school premises during noninstructional time will provide equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

Extracurricular activities are to be implemented in a manner that minimizes interruption of instructional time. As such, students are not permitted to engage in extracurricular activities that interfere with regular academic work. Additionally, student organizations shall not engage in any activity which is contrary to law, division policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action.

Extracurricular activities are the responsibility of the school principal and must be evaluated periodically. Extracurricular activities are open only to students enrolled full-time in the York County School Division.

The Division Superintendent shall establish procedures for the operation and evaluation of extracurricular activities.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; January 24, 2011; December 16, 2013

RESTATEMENT: April 19, 1999

ADULT EDUCATION

Adult Education Programs shall be offered to those residents of York County, Virginia over the age of compulsory school attendance who are not enrolled in the regular public school program and who are functioning below the high school completion level. The School Board shall seek to ensure that every adult participating in such a program has the opportunity to earn a general educational development (GED) certificate. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other School Boards or agencies. The School Division may establish minimum enrollment guidelines and fees.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999

CLASS SIZE

The County School Board of York County, Virginia will assign licensed instructional personnel in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios established by the Standards of Quality:

- 24 to one in kindergarten with no class being larger than 29 students; if the average daily membership in any kindergarten class exceeds 24 pupils, a full-time teacher’s aide will be assigned to the class;
- 24 to one in grades one, two, and three with no class being larger than 30 students;
- 25 to one in grades four through six with no class being larger than 35 students; and
- 24 to one in English classes in grades six through 12.

In addition, the County School Board of York County, Virginia shall assign instructional personnel in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of 21 to one in middle schools and high schools.

When determining the assignment of instructional and other licensed personnel for purposes of this policy, full-time students of approved virtual school programs will not be included.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: April 19, 1999; January 24, 2011

INSTRUCTIONAL MATERIALS

Instructional materials and resources are used for teaching and learning purposes. Such materials and resources may be used to implement, enrich, and support the curricula developed in accordance with County School Board of York County, Virginia policy, the Code of Virginia, State Board of Education policies and regulations, and the prescribed Virginia Standards of Learning.

The County School Board of York County, Virginia is responsible for the selection, evaluation, approval, and use of instructional materials. Responsibility for the recommendations to the School Board is delegated to the Division Superintendent and his/her staff. The Division Superintendent or his/her designee will periodically review guidelines and procedures for the selection of instructional materials and bring recommendations for changes to the School Board.

The procedures for selection and evaluation of instructional materials shall offer a thorough and efficient approach which ensures that appropriate instructional materials are selected, and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials. The procedures will include:

- local criteria for selection of instructional materials;
- evaluation of materials in relation to instructional goals and objectives;
- opportunity for the examination of materials by appropriate committees and individuals;
- notice to parents that materials under consideration for approval will be available at designated locations for review by any interested citizens. Provisions should be made for those reviewing such materials to present their comments and observations, if any, to the School Board;
- procedures for the reconsideration of challenged materials; and
- special emphasis on the thorough evaluation of materials related to controversial or sensitive topics such as Family Life Education.

A copy of the approved procedures for handling controversial instructional materials is maintained in each school library and principal’s office and is available upon request.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; January 24, 2011; December 16, 2013

RESTATEMENT: April 19, 1999

TEXTBOOK SELECTION, ADOPTION, AND PURCHASE

The County School Board of York County, Virginia shall adopt textbooks, including print or electronic media for student use that serves as the primary curriculum basis for a grade-level subject or course from the list of textbooks approved by the Board of Education. The School Board may also adopt books which are not on the state-adopted list in accordance with the Board of Education regulations.

The School Board will adopt textbooks for use in the School Division based upon recommendations presented by the Division Superintendent following the procedures described in Policy IIA Instructional Materials.

The School Board may either enter into written term contracts or issue purchase orders with publishers of textbooks approved by the Board of Education. Such written contracts or purchase orders are exempt from the Virginia Public Procurement Act (Va. Code § 2.2-4300 et seq.) The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States. If, subsequent to the date of any contract entered into by the School Board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in Virginia, the publisher shall grant the same reduction or terms to the School Board and give the School Board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education shall require the publisher to furnish an electronic file of the textbook in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular textbook may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS file of the textbook on or before the date of delivery of the regular text version.

Contracts and purchase orders with publishers of textbooks approved by the Board of Education for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. The School Board may purchase an assortment of textbooks in any of the three forms listed above.

ADOPTED: December 16, 2013

LEGAL REFERENCE: Constitution of Virginia, Art. VIII, § 3.
SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

The School Board delegates the responsibility for the selection and use of supplemental materials to the individual schools. Selection and use shall be in accordance with policies and regulations of the State Board of Education. The same care shall be exercised in the selection of supplemental materials as in the selection of other types of instructional materials.

Materials used by students under the guidance of teachers to extend, expand, and supplement basal materials constitute an integral part of the instructional program. Supplemental materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, pictures, certain workbooks, kits, videos, and games. Materials selected for supplemental use must relate directly to the established objectives of the course or content area in which they are used.

Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials, to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms.

ADOPTED: December 16, 2013

INNOVATIVE OR EXPERIMENTAL PROGRAMS

Experimental and innovative programs that are not consistent with accreditation standards or other regulations promulgated by the Board of Education shall be submitted to the Board of Education for approval prior to implementation.

ADOPTED: December 16, 2013


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INVENTORY AND REPLACEMENT OF INSTRUCTIONAL MATERIALS

The County School Board of York County, Virginia extends to all eligible pupils the free use of specific required instructional materials.

All instructional materials within the schools are the property of the County School Board of York County, Virginia. It is necessary that each principal keep an accurate inventory of all instructional materials and show additions and deletions as the school year progresses. If a student loses or damages a textbook or other instructional material, the student will be required to pay the replacement cost of the material. Students may be denied participation in extracurricular activities until the cost of lost materials has been paid in full.

A list of approved materials and their retail prices are available from the School Board Office.

Supplementary instructional materials may be purchased on an individual, class, or school basis with the approval of the principal. Consumable materials are not included in the free instructional materials plan.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003; November 27, 2007

RESTATEMENT: January 24, 2011; December 16, 2013

LEGAL REFERENCE: Code of Virginia, Sections 22.1-243 and 22.1.238
SCHOOL LIBRARIES/MEDIA CENTERS

Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers before, during and after school. The library media center shall contain hard copy, electronic technological resources, materials, and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest.

Each school shall provide a variety of materials and equipment to support the instructional program.

ADOPTED: December 16, 2013

LEGAL REFERENCE: 8 VAC 20-131-190.

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ACCEPTABLE COMPUTER SYSTEM USE

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

Use of the computer system is a privilege, not a right. Any communication or material generated using the computer system, 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 computer system.

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, that seek to prevent access to:

   a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;

   b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

   c. material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

3. provisions establishing that the technology protection measure is enforced during any use of the Division’s computers;

4. provisions establishing that all usage of the computer system may be monitored;

5. provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response;

6. provisions designed to prevent unauthorized online access by minors, including “hacking” and other unlawful online activities;

7. provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and

8. a component of internet safety for students that is integrated in the Division’s instructional program.
Use of the School Division’s computer system 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 computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement before using the Division’s computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system 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 computer system 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 computer system.

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

ADOPTED: January 27, 2014


CROSS REFERENCES: GCPD Professional Staff Discipline
JFC Student Conduct
FIELD TRIPS

Field trips are off-campus instructional activities. Field trips can provide excellent educational experiences for students by enriching the curriculum and by making classroom learning experiences more meaningful. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation, and opportunities to assimilate the experience during and after the trip. Teachers are encouraged to plan advance activities that prepare students for the trip and follow-up activities that assist students in summarizing, applying, and evaluating information learned on the trip.

The following factors should be considered in proposing and approving field trips:

- The value of the trip to the particular class
- The relationship of the field trip to a particular aspect of the curriculum
- The distance travelled
- The time away from the regular instructional program
- The availability of transportation

Fees may be waived for any pupil whose parent or guardian is financially unable to pay them.

Trips will be approved by the Division Superintendent or designee pursuant to regulations developed by the Division Superintendent. Approval must be obtained before commitments are made to students, parents, or commercial establishments.

Trips for activities governed by the Virginia High School League do not require approval on a trip-by-trip basis. Parental permission for such trips may be obtained for the entire athletic season or school year.

The County School Board of York County, Virginia does not endorse or accept responsibility for any privately sponsored trips for students or any student trips which are not part of the instructional program. Employees who are involved with such trips must emphasize to any interested student/parent that such trips are strictly private enterprises.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: April 19, 1999; January 24, 2011

REQUEST FOR FINANCIAL SUPPORT FOR STUDENT TRIPS

The County School Board of York County, Virginia encourages student participation in a broad range of educational activities. As a part of the instructional program, supplemental activities such as student competitions may occur. While such events are not mandatory, they enrich the standard instructional program. Based on available funds, the York County School Division may subsidize such activities that are beyond the budget of the individual school. The Superintendent provides regulations for application for financial assistance for such trips and procedures for reporting back to the Board the benefits of the trip.

ADOPTED: November 20, 2000

REVISED: November 24, 2003, November 27, 2007

RESTATEMENT: January 24, 2011; December 16, 2013

LEGAL REFERENCE: Code of Virginia 22.1-176
COMMUNITY RESOURCE PERSONS/SCHOOL VOLUNTEERS

The County School Board of York County, Virginia supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for children. The involvement of parents, volunteers, and others in the community who can serve as a resource to schools is a fundamentally important component of successful school programs. The administration of each school will direct the activities of parents, volunteers and other community resources at the building level.

ADOPTED: December 16, 2013


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GUIDANCE AND COUNSELING PROGRAM

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

- academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities.
- career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities.
- personal/social counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.
- employment counseling and placement services which furnish 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 will consult and cooperate with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations, and career schools.

Parents will be notified annually about the counseling programs which are available to their children. The notification will include the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit their child's participation in such programs.

No student will be required to participate in any counseling program to which the student's parents object. Parents must notify the school division in writing if the student is not to participate in the personal/social-counseling program.

The guidance and counseling program will not include the use of counseling techniques which are beyond the scope of the professional certification or training of counselors, including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

ADOPTED: August 26, 1996

RESTATEMENT: April 19, 1999; January 24, 2011
HOMEWORK

Homework is an extension of the instruction that students receive in the classroom and is an integral part of the educational program. The purposes of homework are to strengthen skills, develop a better understanding of concepts, and provide practical applications. Homework builds a sense of responsibility and self-discipline as well as nurtures independent study habits.

Guidelines for homework include:

1. Homework should be assigned after introduction and thorough explanation of the skills necessary to successfully complete the assignment.
2. Homework should be assigned in such a manner that it will be clearly understood by all students.
3. Homework should serve a valid purpose and be closely related to classroom activities.
4. A student's access to resource materials should be considered when making assignments.
5. Homework should be evaluated promptly and returned to the student.
6. Teachers should seek to determine the causes if a student regularly fails to complete assigned work.
7. Excessive homework, like the absence of homework, should be avoided.
8. Homework should not be used for disciplinary purposes.
9. Teachers and administrators should take appropriate steps to communicate with parents regarding the division's homework policy and to solicit their support.

ADOPTED: July 10, 1989

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: April 19, 1999; January 24, 2011

ACCELERATION

The curriculum and schedule of elementary, middle and high schools shall provide flexibility in meeting the instructional needs of students through acceleration. Accelerated instruction may be accomplished by enhancing the curriculum at the grade level or by placing certain students in programs or subjects normally considered above their grade level. Scheduling students into subjects above the normal grade level should be done with counseling based on evidence of ability, past scholastic achievement, and cooperation of the individual student and his parents or guardian.

When students below the ninth grade successfully complete courses offered for credit in grades 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below ninth grade level must meet the same requirements applicable to other students.

In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student’s transcript and the student not earn high school credit for the course. Such request shall be made in the format and by the deadline set forth in regulations developed by the superintendent.

ADOPTED: December 16, 2013

STANDARDS OF LEARNING TESTS AND GRADUATION REQUIREMENTS

I. Standards of Learning (SOL) Tests and Verified Units of Credit

The Board of Education has established educational objectives known as the Standards of Learning, which form the core of Virginia’s educational program, and other education objectives, which together are designed to ensure the development of the skills that are necessary for success in school and in preparation for life in the years beyond.

The County School Board of York County, Virginia has developed and implemented a program of instruction that is aligned to the Standards of Learning and that meets or exceeds the requirements of the Board of Education.

Where Standards of Learning (SOL) tests are required by the Board of Education, each student is expected to take the SOL tests. Schools will use the SOL test results in third through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

Each student in middle and secondary school will take all applicable end-of-course SOL tests. Students who successfully complete the requirements of the course and achieve a passing score on an 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. Middle and secondary schools may consider the student’s end-of-course SOL test score in determining the student’s final course grade.

The standard unit of credit for graduation is based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course.

A verified unit of credit for graduation is based on a minimum of 140 clock hours of instruction, successful completion of the requirements of the course, and the achievement by the student of a passing score on the end-of-course SOL test for that course or additional tests as described below.

A student may also earn a verified unit of credit by the following methods:

- in accordance with the provisions of the Standards of Quality, students may earn a standard and verified unit of credit for any elective course in which the core academic SOL course content has been integrated and the student passes the related end-of-course SOL test. Such course and test combinations must be approved by the Board of Education.
- upon the recommendation of the Division Superintendent and demonstration of mastery of course content and objectives, qualified students may receive a standard unit of credit and be permitted to sit for the relevant SOL test to earn a verified credit without having to meet the 140-clock-hour requirement.

The Division Superintendent by regulation will determine the manner in which a student may demonstrate mastery of course content and objectives, and documentation of such mastery will be maintained in the student’s permanent record.
Students may also earn verified credits by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

Participation in the SOL testing program by students with disabilities will be prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities will be assessed with appropriate accommodations and alternate assessments where necessary.

All students identified as limited English proficient (LEP) will participate in the SOL testing program. A school-based committee will convene and make determinations regarding the participation level of LEP students. In grades three through eight, limited English proficient students may be granted a one-time exemption from SOL testing in the areas of writing, science, and history and social science.

II. Graduation Requirements

A. Generally

The School Board will award diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who earn the units of credit prescribed by the Board of Education, pass the prescribed tests, and meet such other requirements as are prescribed by the School Board and approved by the Board of Education.

B. Types of Diplomas and Certificates

The County School Board of York County, Virginia will award diplomas and certificates in accordance with state laws and regulations.

The requirements for a student to earn a diploma are those in effect when he or she enters ninth grade for the first time.

ADOPTED: June 20, 1988 (Also, July 1, 1988 for students entering the ninth grade during the 1988-89 school year)


8 VAC 20-131-30.
8 VAC 20-131-50.
8 VAC 20-131-110.
Locally AwardedVerified Credits

Generally

The County School Board of York County, Virginia awards verified credits toward a standard diploma in science and history/social sciences in accordance with this policy.

No student may earn more than four locally awarded verified credits except as noted below.

To be eligible to earn locally awarded verified credits, a student must

- pass the high school course and not pass the related Standards of Learning test
- take the Standards of Learning test at least twice
- score within a 375-399 scale score range on any administration of the Standards of Learning test
- demonstrate achievement in the academic content through the appeal process described below

Locally Awarded Verified Credits as Credit Accommodations

In addition to verified credits in science and history/social sciences, the School Board may also award verified credits toward a standard diploma in reading, writing and mathematics to students with disabilities as credit accommodations for the standard diploma. To be eligible for such credit accommodations, students with disabilities must meet all criteria established by Virginia law or regulation and eligibility for such credit accommodations must be established in the student’s Individualized Education Plan (IEP) or Section 504 plan. There is no maximum number of locally awarded verified credits that a student with a disability may earn toward a standard diploma.

Appeal Process

The County School Board of York County, Virginia shall appoint a review panel comprised of at least three educators. Different panels may be appointed for individual schools or groups of schools.

The review panel will review information which provides evidence of the student’s achievement of adequate knowledge of the Standards of Learning content. The panel will have discretion in determining the information it will consider. That information may include, but is not limited to, results of classroom assignments, divisionwide exams, course grades and additional academic assignments (e.g. papers, projects, essays or written questions) as the panel deems appropriate.

Based on the evidence it reviews, the review panel may:

- award the verified credit;
• deny the verified credit;
• suggest participation in a remedial program and retesting; or
• make additional academic assignments prior to determining whether to award the verified credit.

The decision of the local review panel will be final.

ADOPTED: December 16, 2013

8 VAC 20-131-5 (Virginia Register of Regulations May 6, 2013)
8 VAC 20-131-50 (Virginia Register of Regulations May 6, 2013)
Guidelines for Standard Diploma Credit Accommodations for Students with Disabilities (Virginia Department of Education March 28, 2013) (attachment to Virginia Department of Education Superintendent’s Memo No. 105-13 (Apr. 19, 2013)).
Additional Guidance on Credit Accommodations for Students with Disabilities July 2013 (Attachment A to Superintendent’s Memo No. 191-13 issued July 26, 2013)
Guidelines for Local School Boards to Award Verified Credits for the Standard Diploma to Transition Students (attachment to Virginia Department of Education Superintendent’s Memo No. 52 (Aug. 9, 2002)), as amended by the Board of Education October 25, 2006.

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COMMENCEMENT ATTENDANCE

Students must meet all state and local requirements for a graduation diploma or certificate in order to participate in the commencement ceremony. Foreign exchange students who have documentation indicating they have met graduation requirements in their home schools may participate in the commencement ceremony but will not receive a York County School Division Diploma. Students not fulfilling graduation requirements or who have been denied the privilege of attendance by the school administrator and/or the School Board are not allowed to participate in the commencement ceremony.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007

RESTATEMENT: April 19, 1999; January 24, 2011; December 16, 2013
The County School Board of York County, Virginia supports efforts to provide instructional support to those students who have demonstrated a need for such support by their failure to pass certain Standards of Learning (SOL) assessments. Therefore, the School Board has implemented a Remediation Recovery Program as established by the Virginia Board of Education. Remediation recovery is a program which encourages successful remediation of students who do not pass certain SOL tests in English and mathematics. Students eligible to participate in such program include students in kindergarten through second grade who have received failing grades in reading or mathematics and/or have not met established benchmarks and students in grades 3 through 12 who have failed the SOL assessment in the areas of English or mathematics.

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

Students who fail either the grade 8 reading or mathematics test, or an end-of-course English or mathematics test, and participate in a remediation recovery program will continue to retake the applicable SOL test at the next regularly scheduled administration.

Schools shall maintain evidence of a student’s participation in a remediation recovery program along with the scores of any SOL tests taken following remediation in the student’s record.

The following students are ineligible for the remediation recovery program:

- students in grade 8 who are retested because they were retained and had not previously passed the grade 8 test in reading or mathematics
- students who retake an end-of-course test as a result of failing and retaking an English or mathematics course at the high school level

ADOPTED: November 27, 2007

RESTATEMENT: January 24, 2011

REVISED: December 16, 2013

8 VAC 20-131-30.C.
8 VAC 20-131-280.
RETAKING SOL ASSESSMENTS

Students in grade 3 through 8 are not required to retake Standards of Learning (SOL) tests unless they are retained in grade and have not previously passed the test or they are placed in a remediation recovery program developed by the School Board. Students in high school are not required to retake end-of-course SOL tests unless the student previously failed the course and the test, or the student needs to earn verified credit for graduation.

With such funds as are appropriated by the General Assembly, the Board of Education will provide opportunities for students who meet criteria adopted by that board to have an expedited retake of a SOL test to earn verified credit or to meet literacy and numeracy requirements for the Modified Standard Diploma (available for students with disabilities who entered the 9th grade in 2012 and earlier).

Under the criteria established by the State Board, the student must:

- Need the test for verified credit; and
- Have passed the course associated with the test, and one of the following:
  - Failed the test by a narrow margin, or
  - Failed the test by any margin and have extenuating circumstances that would warrant retesting, or
  - Did not sit for the regularly scheduled test for legitimate reasons.

For purposes of these criteria, “narrow margin” means a scaled score of 375-399. The Division Superintendent will be responsible for making the determination of what constitutes “extenuating circumstances” and “legitimate reasons” for purposes of establishing eligibility for an expedited retest of an end-of-course SOL assessment.

ADOPTED: December 16, 2013

8 VAC 20-131-30.
8 VAC 20-131-110.
TESTING PROGRAMS

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests will be administered according to state and local directives. However, in administering tests or other assessment instruments, School Board employees shall not require any public elementary school students being tested to disclose their race or ethnicity on such tests. The School Division, however, may obtain such information from a student’s permanent record and place the information on the test or assessment.

Other standardized and teacher-made tests may be used to measure achievement and potential for learning. The results of these tests are used for evaluation and improvement of the instructional program.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; December 16, 2013

RESTATEMENT: April 19, 1999; January 24, 2011

TEACHING ABOUT CONTROVERSIAL ISSUES

The County School Board of York County, Virginia recognizes that preparation for effective citizenship is one of the major purposes of education. The preparation for effective citizenship includes the study of issues that are controversial. In teaching about controversial issues, teachers are expected to establish a learning environment where each student can study the issues within a curriculum in an atmosphere free from bias, prejudice, or coercion that is appropriate for the student’s grade level.

Although the instructional program includes study of the political party system in the United States, the School Board does not endorse any political party or candidate.

ADOPTED: December 16, 2013

RELIGION IN THE SCHOOLS

In accordance with the mandate of the Constitution of the United States prohibiting the establishment of religion it is the policy of this School Board that York County Schools shall be neutral in matters of religion. This means that York County Schools: assume no role or responsibility for the religious training of any student; and do not become involved in the religious belief, disbelief or doubt of any student.

This requirement of neutrality need not preclude nor hinder the County School Board of York County, Virginia in fulfilling their responsibility to educate students to be tolerant and respectful of religious diversity. The division also recognizes that one of its educational responsibilities is to advance the students’ knowledge and appreciation of the role that religion has played in the social, cultural, and historical development of civilization.

Therefore, the School Division shall approach religion from an objective, curriculum-related perspective, encouraging all students and staff members to be aware of the diversity of beliefs and respectful of each other’s religious and/or non-religious views. In that spirit of respect, students and staff members may be excused from participating in activities that are contrary to their religious beliefs unless there are clear issues of compelling public interest that would prevent it.

This policy will not be interpreted or applied in such a manner as to inhibit or proscribe the traditional use of prayers, religious music, or religious objects or symbols in any secular program sponsored by the School Division, when such activity does not primarily involve the promotion of religion.

In planning school calendars, the possible effect of religious holidays on attendance will be taken into account. When possible, examinations and other major events, such as graduation, should not be scheduled on these holidays.

Students will not be penalized or deprived of make-up opportunities for absences due to religious observances.

The school board may authorize, as an elective in grades nine through 12 with appropriate credits toward graduation, a comparative religion class that focuses on the basic tenets, history, and religious observances and rites of world religions.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; October 24, 2006; November 27, 2007; December 16, 2013

RESTATEMENT: April 19, 1999; January 24, 2011

LEGAL REFERENCE: U.S. Const. amend. I


STUDENT EVALUATION

The achievement of pupils must be documented. A cumulative record of student performance for the entire time a student is enrolled in the York County School Division is maintained. Student performance is reported to parents at least every nine weeks.

Evaluation reflects the academic achievement and performance of students.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999; January 24, 2011; December 16, 2013
REPORT CARDS

Report cards are issued no more than eight school days following the close of a grading period. Year-long and/or full credit courses are divided into four equivalent grading periods. Half credit courses are divided into two equivalent grading periods. Teacher-parent conferences are encouraged at all levels to discuss student progress.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; April 19, 1999; November 24, 2003, November 27, 2007; January 24, 2011

RESTATEMENT: December 16, 2013
INTERIM PROGRESS REPORTS

Interim progress reports are issued for all students and may be issued electronically.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999; January 24, 2011
FINAL EXAM EXEMPTION

Secondary students in credit-bearing courses may be exempted from their final examinations under either of the following conditions:

1. Any secondary student (grades 6-12) meeting prescribed performance criteria on state SOL end-of-course assessments in credit-bearing courses; or,
2. Second-semester seniors meeting pre-determined criteria for good citizenship, regular attendance, and positive academic performance.

Students exempted from regular final examination(s) by this policy and accompanying regulations may elect to take the exams at their discretion. The Division Superintendent shall promulgate regulations to detail procedures for exemptions outlined by this policy.

ADOPTED: November 22, 1999


RESTATEMENT: December 16, 2013
CLASS RANKING OF HIGH SCHOOL SENIORS

The class rank of each member of the twelfth grade is based on academic achievement in courses for which high school credit is awarded. The Division Superintendent specifies the formal procedure by which class rank is computed.

REVISED: May 18, 1992; April 18, 1994; November 24, 2003, November 27, 2007

RESTATEMENT: April 19, 1999; January 24, 2011; December 16, 2013
PROMOTION/RETENTION

In the elementary schools, pupils are promoted from grade to grade based upon multiple criteria, including achievement in the areas of language arts, reading, and mathematics, as well as test results from the Virginia assessment program. A pupil may remain for more than one year in a designated elementary grade if his or her academic achievement in any of the areas of language arts, reading or mathematics is unsatisfactory or is significantly less than the established achievement level.

In the middle schools, pupils are promoted from grade to grade based upon achievement in all subject areas. A pupil must successfully complete English, mathematics, science, and social studies or a recommended summer program that is approved by the middle school principal to be promoted to the next grade level. Students failing a class will also be evaluated for promotion based on standardized tests scores and completion of a remediation program. Remediation may be comprised of summer school and/or a targeted skill program.

In the high schools, promotion is based upon achievement reflected by the number of credits earned. The grade level designations will be determined as follows:

- Grade 10 - 5 credits minimum
- Grade 11 - 10 credits minimum
- Grade 12 - 15 credits minimum

Students who meet the requirements for promotion to the next grade level should not be retained in a grade level. When considering retention for a student, teachers should follow the guidelines outlined in Standard Operating Procedure Retention.

ISSUED: April 22, 1994
REISSUED: July 12, 2000; July 20, 2006; September 5, 2013
REVISED: December 17, 2013
INSTRUCTIONAL DATA

York County School Division staff collect and analyze data and use the results to evaluate and make decisions about instructional programs.

ADOPTED: November 27, 2007

RESTATEMENT: January 24, 2011; December 16, 2013

LEGAL REFERENCE: Code of Virginia, Section 22.1 – 253.13:1
Virginia Standards of Quality
INSTRUCTIONAL PROFESSIONAL DEVELOPMENT

The County School Board of York County, Virginia recognizes the key role that high-quality professional development plays in student learning. Professional development opportunities for shall be aligned with the YCSD strategic plan, and to the extent possible, activities should be collaborative, on-going, and job-embedded.

Professional development opportunities for instructional staff shall be provided at the School Division, site-based and/or individual level, as needed:

- to facilitate the successful implementation of instructional programs to promote student achievement;
- to effectively integrate technology in the classroom, as a means to improve and amplify student work;
- to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency;
- on the development, use and interpretation of quality assessments to measure student learning; and,
- on the use and implementation of effective classroom management techniques.

Additionally, professional development shall be provided to administrative personnel to increase proficiency in instructional leadership and management.

YCSD staff may be required to participate in a variety of School Division-wide and/or site-based professional development activities.

ADOPTED: November 24, 2003

REVISED: November 27, 2007; December 16, 2013

RESTATEMENT: January 24, 2011

LEGAL REFERENCE: Code of Virginia, Section 22.1-253.13:5
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EQUAL EDUCATIONAL OPPORTUNITIES/NONDISCRIMINATION

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

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

The School Board shall:

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

Indigent students are entitled to the best school services available to meet their needs. Principals and teachers are to use all resources available for the welfare of needy students such as the Department of Social Services, civic clubs, religious organizations, and parent teacher associations. Cases of extreme hardship are to be reported to the appropriate persons.

The Division Superintendent shall take appropriate steps to implement and oversee this policy in accordance with federal and state laws and regulations, including

1. Designating a Title IX Coordinator and giving notice to parents/guardians, students and employees of his/her identity
2. Establishing procedures for dealing with complaints and grievances alleging violations of this policy as reported by any employee, student or third party
3. Training of employees on the policy and complaint/complaint procedures
4. Publicizing this policy and the procedures for dealing with reported violations to the general public, to parents and to students and to all employees.

ADOPTED: June 26, 2006
LEGAL REFERENCES: Title VI, Civil Rights Act of 1964; Title VII, Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972; Title IX, Education Amendments of 1972; Executive Order 11246, as amended by E.O. 11375; Equal Pay Act, as amended by the Education Amendments of 1972; Section 504, Rehabilitation Act of 1973; Education for all Handicapped Children Act of 1975; Age Discrimination Act of 1975, P.L. 94-135; Age Discrimination in Employment Law, P.L. 95-256; 15 CFR 8.3a; No Child Left Behind Act, 2001
SECTION 504 NONDISCRIMINATION POLICY AND GRIEVANCE PROCEDURES

The York County School Board does not discriminate against individuals on the basis of disability. Where a student believes that he or she has been discriminated against on the basis of disability, the student shall have the right to file an informal or formal grievance in accordance with procedures established by the Division Superintendent.

ADOPTED: June 17, 2011
RESTATEMENT: April 28, 2014
LEGAL REFERENCES: 29 U.S.C. § 794; 34 CFR Part 104.7(b)
SCHOOL ATTENDANCE AREAS

Attendance areas are set by the School Board, and students are required to attend the school serving the fixed area in which they reside unless students have applied for and been accepted into a specific magnet school program.

Out-of-zone attendance for elementary schools is permissible based on the availability of space, completion of an application, and the approval of the Division Superintendent or his/her designee.

Out-of-zone attendance for secondary (middle and high) schools is permissible based on the availability of space, completion of application, and the approval of the Division Superintendent or his/her designee.

The Division Superintendent will recommend to the Board such changes in attendance areas that are necessary for the orderly operation of the schools. These recommendations will take into account the need to provide for the competent instruction of the students.

ADOPTED: June 20 1988

REVISED: August 28, 1995; August 27, 2001

RESTATEMENT: November 28, 2005; June 22, 2009; June 17, 2011; April 28, 2014

LEGAL REFERENCES: Code of Virginia, Section 22.1-78, 22.1-79(4)

CROSS-REFERENCES: JCC School Choice for Students Enrolled in Schools Identified for Improvement
SCHOOL CHOICE FOR STUDENTS ENROLLED IN SCHOOLS IDENTIFIED FOR IMPROVEMENT

The federally-mandated No Child Left Behind Act requires that school divisions have in place a provision for offering public school choice to students in Title I schools under certain conditions. Title I schools are required to offer public school choice if the school meets one of the following four criteria: 1) is in the first year of school improvement, 2) is in the second year of school improvement, 3) is in corrective action, or 4) is in the planning year for restructuring. The public school choice program cannot discriminate on the basis of race, color, national origin, gender, disability, or age and must be consistent with applicable civil rights commitments.

The Division Superintendent will determine the implementation of school choice procedures for eligible Title I schools.

ADOPTED: June 29, 2004

RESTATEMENT: November 28, 2005; June 22, 2009; June 17, 2011; April 28, 2014

LEGAL REFERENCE: No Child Left Behind Act, 2001
CLASSROOM ASSIGNMENTS FOR TWINS

A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than 3 days after the first day of each school year or 3 days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parent.

Schools must provide the placement requested by the children's parent, unless the Division Superintendent or his/her designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children’s educational progress.

ADOPTED: June 17, 2011
RESTATEMENT: April 28, 2014
LEGAL REFERENCE: Code of Virginia, as amended, § 22.1-79.3.F
COMPULSORY ATTENDANCE

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

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by 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.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday, and

The requirements of this policy do not apply to

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

INDIVIDUAL STUDENT ALTERNATIVE EDUCATION PLAN

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

1. The student must be at least sixteen years of age.

2. There shall be a meeting of the student, the student’s parents, and the principal or principal’s designee of the school in which the student is enrolled to develop the plan, which must include the following:
   - Career guidance counseling;
   - Mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other
alternative education program approved by the School Board, with attendance reported to the principal or principal’s designee;

- Mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;

- Successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma

- Counseling on the economic impact of failing to complete high school; and

- Procedures for re-enrollment.

3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the Division Superintendent or attendance officer shall seek immediate compliance with such laws.

ALTERNATIVE EDUCATION PROGRAMS

The Division Superintendent, pursuant to regulations adopted by the School Board, may in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been

- charged with an offense relating to the Commonwealth’s laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person;

- found guilty or not innocent an offense relating to the Commonwealth’s laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Division Superintendent pursuant to subsection G of Va. Code § 16.1-260;

- found to have committed a serious offense or repeated offenses in violation of school board policies;

- suspended pursuant to Va. Code § 22.1-277.05; or

- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or subsection B of § 22.1-277,

require a student to attend an alternative education program as provided by Va. Code § 22.1-209.1:2 or 22.1-277.2:1. The School Board may require such student to attend such programs regardless of where the crime has occurred.

Prior to requiring a student to attend an alternative education program, the Division Superintendent shall provide: (1) written notice to the student and his parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his parent/guardian of the right to a hearing before the Division Superintendent or designee regarding the placement. The decision of the Division Superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, as established in regulation, by the student or his parent, for a review of the record by the school board.
Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board 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.

ADOPTED: June 20, 1988


RESTATEMENT: August 27, 2001; November 28, 2005

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-254

CROSS REFERENCES: JEG Exclusions and Exemptions from School Attendance
LBD Home Instruction
ENTRANCE AGE/ADMISSION OF PERSONS NOT OF SCHOOL AGE

A child who will reach his or her fifth birthday on or before September 30 of the school year and is otherwise eligible for enrollment in school as specified in Policy JEC may be enrolled in school. The Division Superintendent shall disseminate information received from the State Superintendent of Public Instruction concerning the ages when children are required or eligible to attend school. This information shall be disseminated to parents of such children upon or prior to enrollment of such children in the public schools of the division.

An individual who resides within the school division and is beyond school age (who has reached his or her 20th birthday on or before August 1st of the school year) may, at the discretion of the School Board, be admitted into the division schools. Such individuals may be charged tuition at the discretion of the School Board.

ADOPTED: April 28, 2014


CROSS REFERENCES: JEC School Admission
SCHOOL ADMISSION

A person of school age (i.e., a person who will have reached his/her fifth birthday on or before September 30th of the school year and who has not reached his/her 20th birthday on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing within the jurisdictional boundaries of the York County School Division, or if eligible for admission as a homeless student.

A person of school age shall be deemed to reside within the jurisdictional boundaries of the school division:

- When the person is living with a natural parent, or a parent by legal adoption, in the York County School Division;
- When in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under Title 10, United States Code, § 1044b by the custodial parent;
- When the parents of such person are deceased and the person is living with a person in loco parentis who actually resides within the school division;
- When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
  (i) the court-appointed guardian, or has legal custody of the person, or
  (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200;
  (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
    (a) explaining why the parents are unable to care for the person,
    (b) detailing the kinship care arrangement, and
    (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the
kinship care arrangement serves a legitimate purpose other than school enrollment

- When the person is living in the school division not solely for school purposes, as an emancipated minor; or
- When the person has been placed in a foster care placement within the school division by a local social services agency. No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division. The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with section 22.1-5 of the Code of Virginia and pursuant to York County School Board regulations.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance. Such children shall be allowed to continue attending school in the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

ADDITIONAL ADMISSION REQUIREMENTS

A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the Division Superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.

B. If a certified copy of the birth record is not provided, the administration shall immediately notify the local law enforcement agency. The notice to the local law-
enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

C. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.

D. Each student will present a federal social security number within 90 days of his enrollment. In any case in which a student is ineligible, pursuant to guidelines promulgated by the Board of Education, to obtain a social security number or the parent is unwilling to present such number, the Division Superintendent or his designee may assign another identifying number to the student or waive this requirement.

E. Tuition rates are established each year in accordance with the provisions of § 22.1-5 of the Code of Virginia. The amount of tuition will be commensurate with the required educational placement or program as determined by the York County School Division.

F. Prior to admission to the York County School Division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration,

- a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record; and

- a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the Division Superintendent and by any others to whom he disseminates it, separately from all other records concerning the student. However, if the school administrators or the school board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice shall become a part of the student's disciplinary record.

G. When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

H. A student, who has been expelled or suspended for more than 30 days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the York County School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in
another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefor, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the Division Superintendent or his/her designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the Division Superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his/her parent may file a written petition for review with the School Board within 15 days of notice of the decision of the Division Superintendent or his/her designee. If the School Board grants a review of the record, the decision of the Division Superintendent or his/her designee may be altered.

- Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or Division Superintendent or his/her designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

- For the purposes of this section, the Division Superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the Division Superintendent and who is not a school-based instructional or administrative employee.

- In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school.

I. This policy does not preclude contractual arrangements between the York County School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend York County Public Schools.

J. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in §§ 22.1-270, 22.1-271.2 and 32.1-46 of the Code of Virginia and policies "Physical Examinations of Students" and "Immunization of Students".

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his/her knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the
required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

ENROLLMENT – RESIDENT STUDENTS

Attendance in the public schools of York County is free to all children of school age whose parents, court appointed legal guardians, person having legal custody under a court order, or a person in loco parentis where the parents are deceased, reside within the limits of York County and who are not otherwise disqualified from attendance. Attendance shall also be free to any child who, in the determination of the Division Superintendent, shall have established a bona fide residence in York County, not solely for school purposes, apart from a parent, or a legal custodian or guardian. The Division Superintendent shall establish a procedure and criteria by which school staffs can determine whether such child has established a bona fide residence in the County. This procedure shall also inform adults seeking to enroll a child of the criminal liability attached to making false statements concerning a child's residency.

1. Under this policy "to reside in York County" shall mean to make one's domicile in York County: meaning that the individual lives within the jurisdictional boundaries of York County with the intent to make it a fixed and permanent home. Domicile requires more than bodily presence as an inhabitant of York County; it requires bodily presence and an intention to make York County a fixed and permanent home, as evidenced by documents meeting the criteria established by the Division Superintendent.

2. When the person lacks a fixed, regular, and adequate nighttime residence and has a primary nighttime residence located within the school division that meets one of the following conditions, the child may attend York County Schools tuition-free: (a) a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including welfare hotels, congregate shelters, and transitional housing for the mentally ill; (b) an institution that provides a temporary residence for individuals intended to be institutionalized; or (c) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

3. An emancipated minor living within the school division not solely for school purposes may attend the public schools tuition-free.

4. The child living with a person who is both a resident of York County and is seeking legal custody or court-appointed guardianship of the child, provided the purpose of custody is not solely for the purpose of attending schools in the county, may attend the public school tuition-free.

5. Persons of school age who are not residents but are living temporarily with persons residing within York County may, in the discretion of the School Board, be admitted to York County School Division. However, tuition may be charged at the discretion of the Division Superintendent or designee.

6. In the interest of providing educational continuity to the children of military personnel, no child of a person on active military duty attending a school free of charge shall be charged tuition by that school division upon such child's relocation to military housing located in another school division. Such children shall be allowed to
continue attending school in the school division they attended immediately prior to the relocation and shall not be charged tuition for attending such school. The school division will not be responsible for providing for their transportation to and from school.

7. Legal Guardianship or Court Appointed Custody
   A child living in York County with an adult resident of the County who is not the child's parent shall be admitted to public school, including the Virtual High School, without tuition if:
   • The adult county resident is the child's court appointed legal guardian; or
   • The adult county resident has legal custody of the child under a court order.
   Either status shall be verified by a copy of the court's order.
   • The adult county resident acting in loco parentis where the parents are deceased
   • The adult county resident is seeking custody of a child.

TUITION

ENROLLMENT - NON-RESIDENT STUDENTS

It will be the policy of the York County School Board that non-resident students will not be accepted in the York County School Division except in the cases described below. The parent or guardian must apply directly by application to the Division Superintendent or designee for admission to York County schools. Evidence must support that the student can benefit from existing educational programs in the York County School Division. The amount of tuition will be commensurate with the required educational placement or program as determined by the York County School Division.

1. Residence Change Out of York County
   Students whose residences change to a location outside of York County after September 30th of the school year may complete that year in the York County School Division on a tuition basis. The parent must assume responsibility for transportation.

2. Residence Change - Seniors
   A high school student who has completed two years or a major portion thereof in the high school at the time of change of residence may attend the 12th grade in that high school on a tuition basis. The parent must assume responsibility for transportation.

3. Non-Resident Staff Member's Children
   Non-resident full time staff members employed by the York County School Division for a minimum of 3 years may enroll their children or dependents in the Division on a tuition-free basis if space is available. Under this policy, the transportation of non-resident students becomes the responsibility of the employee.

   Children of non-resident full time staff members with less than 3 years of service in the York County School Division may be permitted to attend the York County School Division on a space available basis. Payment of a service charge that approximates the
per pupil local expenditure for education for the respective students will be assessed. Because the parent must assume responsibility for transportation, the service charge would be exclusive of the transportation charge.

4. Admission of Non-Resident Students to Special Program Offerings
The Division Superintendent may admit non-resident students to special programs on a space available basis. The admission of non-resident students to such programs shall be coordinated with the Division Superintendent of the school division in which the student resides. The Division Superintendent is authorized to develop financial arrangements for non-resident students admitted to special programs that will result in no additional expense to the York County School Division.

5. Admission of Non-Resident Students While Home is Under Construction or Under Contract for Purchase
The Division Superintendent may admit non-resident students who have homes under construction or under contract for purchase on a tuition-free basis for a reasonable length of time. Parents must make written application to the Division Superintendent or designee indicating estimated occupancy date, location of home, and willingness to provide transportation. Tuition payment would be required after that period of time. The intent to make this structure a "fixed and permanent home" shall be considered by the Division Superintendent.

6. Exchange Students
The Division Superintendent may admit, on a tuition-free basis, foreign and domestic students participating in an exchange program approved by the School Board. Other foreign students will be charged tuition.

7. Children of Licensed York County Business Owners
Children of a qualified York County business owner may be permitted to attend the York County School Division on a space available basis, upon payment of an adjusted tuition amount computed as set out in this subparagraph. The criteria for eligibility for the adjusted tuition shall be as follows:

- A qualified York County business owner shall be either a sole proprietorship owned by an individual, or shall be a corporation, partnership, or limited liability company formed in compliance with all applicable laws of the Commonwealth and of York County and fully qualified to do business in Virginia and in York County. All qualified business owners must possess a York County business license to the extent required by the County Code of York County.

- The business shall own or lease real estate in York County subject to the payment of real estate taxes and having a tax appraised value of at least $50,000, as shown on the tax records of York County. The business shall not be in default on the payment to York County of any real estate tax or other tax or license fee.
• The business shall have entered into an agreement with the York County School Division to act as a Business Partner with one or more of the schools in the division, and must currently be serving as such.

• In the case of partnerships, corporations, and limited liability companies, no more than one partner, shareholder, or member shall qualify for the adjusted tuition rate under this Policy, and such person shall have been named by the holders of the majority of the ownership interests in the partnership, corporation, or limited liability company, or by anyone lawfully authorized to act on behalf of the business. In the case of a partnership, the consent of the majority interests of the partners shall be evidenced in conformance with the partnership agreement. In the event of a corporation, the person eligible for the adjusted tuition shall be named by a vote of the majority of the voting shares of the corporation. In the event of a limited liability company, the person shall be named by a majority of the voting interests in the company or as provided otherwise in the company's articles of organization or operating agreement.

• All natural and adopted children of the person determined in accordance with the preceding paragraph, and children of whom the person shall be a court appointed guardian or custodian, shall be entitled to the adjusted tuition, provided that such children shall be of school age.

• In the event a qualified business owner ceases to remain qualified for the adjusted tuition by virtue of a failure to meet the qualifying criteria set out herein, full tuition shall be charged henceforth with respect to all affected students, prorated from the date the business ceases to qualify for the adjusted tuition.

• The adjusted tuition provided for by this Policy shall be the same as is charged to non-resident staff members with less than 3 years of service pursuant to subparagraph (3) of the section entitled "Enrollment Non-Resident Students," above, plus the actual additional costs of any specialized program provided or required by the student. Parents must provide transportation for the student to and from school and related activities.

8. Non-Resident Children of Assistant County Attorney
In consideration of the close working relationship the Board has with the Assistant County Attorney, and as the Assistant County Attorney provides representation to the Board on all legal issues and provides legal services and training to all departments within the York County School Division, the Assistant County Attorney who is a non-resident and has provided a minimum of 3 years of service to the division may enroll his/her children or dependents in the Division on a tuition-free basis. The Assistant County Attorney who is a non-resident and has provided less than 3 years of service to the division may enroll his/her children or dependents in the Division on a reduced-tuition basis based on the same tuition rate for children of non-residents with less than 3 years of service as described in subparagraph 3. Under this policy, the
transportation of non-resident students becomes the responsibility of the Assistant County Attorney.

9. Other Non-Resident Students
The Division Superintendent may admit other non-resident students on a case-by-case tuition basis. Additionally, the Division Superintendent may admit other non-resident students to enroll part-time in the YCSD Virtual High School through the Multidivision Online Provider (MOP) program, as specified in Policy JECB.

SCREENING OF STUDENTS NEW TO COUNTY SCHOOLS
The York County School Division will screen new students in accordance with regulations adopted by the Virginia Board of Education.

STUDENTS ENROLLING FROM PRIVATE SCHOOLS
Students desiring to enter the York County School Division after having attended a private school must meet the age requirement set forth in the Code of Virginia. Such students entering the elementary and middle schools will remain unclassified, as far as grade is concerned, until the school principal has determined the proper grade and class placement of the student. It is expected that this determination will be made promptly. In most cases, the grade placement in the York County school will follow that of the private school. However, this placement must not be automatic. The Division Superintendent will determine procedures for student enrollment in division magnet programs.

Grade placement of high school students transferring from non-accredited private schools will be determined by the receiving school's principal based on a review of the credits earned.

Credits earned in private schools accredited by SACS or its affiliates will be accepted.

MAGNET SCHOOL ENROLLMENT
The York County School Division operates a variety of elementary, middle and high school magnet programs to meet the instructional needs of eligible students and provides options for parents seeking a particular instructional setting for their children. These magnet programs include, but are not limited to: Elementary Fine Arts Magnet; Elementary Math, Science and Technology Magnet; Middle School Arts Magnet; York County School of the Arts; and International Baccalaureate Programme.

The Division Superintendent will determine enrollment procedures for the school division's elementary, middle, and high school magnet programs.

ADOPTED: June 20, 1988
REVISED: December 16, 1991; August 28, 1995; December 16, 1996; February 24, 1997; October 23, 2000; February 26, 2001; August 27, 2001; August 26, 2002; June 14, 2005; November 28, 2005; June 22, 2009; June 17, 2011; June 11, 2012; April 28, 2014

CROSS REFERENCES:  
JECA  Admission of Homeless Children  
JGD/JGE  Student Suspension/Expulsion
ADMISSION OF HOMELESS CHILDREN

The York County School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. The school division will coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The York County School Division will serve each homeless student according to the student’s best interest and will:

1. continue the student's education in the school of origin for the duration of homelessness
2. if the student becomes homeless between academic years or during an academic year; or
3. for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
4. enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the York County School Board shall:

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student’s parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student’s parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the district’s homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

ENROLLMENT

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, birth records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.
If the student needs to obtain immunizations, or immunization, birth, or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the district’s homeless liaison, who shall assist in obtaining necessary immunizations, or immunization, birth, or medical records.

If the documentation regarding the comprehensive physical examination cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his/her knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the local school division homeless liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

ENROLLMENT DISPUTES

If a dispute arises over school selection or enrollment in a school

1. the homeless student shall be immediately admitted to the school in which enrollment is sought and provided all services for which he or she is eligible, pending resolution of the dispute;

2. the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;

3. the student, parent, or guardian shall be referred to the district’s homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and

4. in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

APPEAL PROCESS

Oral Complaint
In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school’s decision regarding the student’s eligibility to attend the school, the Complainant shall orally present his position to the division’s homeless liaison.

Written Complaint
If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the
enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Division Superintendent of the formal complaint and its resolution.

APPEAL TO DIVISION SUPERINTENDENT

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Division Superintendent by filing a written appeal. The homeless liaison shall ensure that the Division Superintendent receives copies of the written complaint and the response thereto. The Division Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Division Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

COMPARABLE SERVICES

Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following:

1. transportation services;
2. educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
3. programs in career and technical education;
4. programs for gifted and talented students; and
5. school nutrition programs.

TRANSPORTATION

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

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

Definitions

The term “homeless student” means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
   a. are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
   b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
   c. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school division to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

ADOPTED: June 17, 2011
REVISED: April 28, 2014
CROSS-REFERENCE: JEC School Admission
ADMISSION OF NONPUBLIC STUDENTS FOR PART-TIME ENROLLMENT

Private and home school students shall not be permitted to enroll part-time or to participate in academic or extracurricular activities in the York County School Division schools, with the following exceptions:

Documented home school students residing in Virginia may enroll in up to two virtual courses in the York County School Division. These students will not be charged tuition. These students will not be eligible for extracurricular activities or other academic activities or courses in the York County School Division schools.

Private school students in Virginia may take virtual courses on a tuition basis. These students will not be eligible for extracurricular activities or other academic activities or courses in the York County School Division schools.

Documented home school students and private school students taking virtual courses will not earn a diploma.

ADOPTED: June 17, 2011
REVISED: June 11, 2012
RESTATEMENT: April 28, 2014
CROSS-REFERENCE: JEC School Admission
STUDENT ABSENCES/EXCUSES/DISMISSALS

STUDENT ATTENDANCE POLICY

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

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

A reasonable effort shall be made to contact a parent/guardian of each absent student every day, and to obtain an explanation for the student's absence, where there is no indication that the student's parent is aware of and supports the absence. A log will be kept of call attempts.

Students who are absent must bring a valid note stating the reason for absence upon returning to school. Unexcused absences shall be handled according to regulations issued by the Division Superintendent.

Students observing a religious holiday shall be excused without penalty of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination which he/she missed by reason of such absence, if the absence is verified in an acceptable manner.

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

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the Division Superintendent to seek immediate compliance with the compulsory school attendance law.

COMPULSORY ATTENDANCE PROCEDURES

1. Upon Fifth Absence Without Parental Awareness and Support
   If (1) a student fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the student’s parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the Principal or designee shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, by the attendance officer to obtain an explanation for the pupil’s absence and to explain to the parent the consequences of continued nonattendance. The attendance officer, the pupil, and the pupil’s parent shall jointly develop a plan to resolve the pupil’s nonattendance. Such plan shall include documentation of the reasons for the pupil’s nonattendance.
2. **Upon Sixth Absence Without Parental Awareness and Support**
   If the pupil is absent an additional day after direct contact with the pupil’s parent and the attendance officer has received no indication that the pupil’s parent is aware of and supports the pupil’s absence, the attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the pupil, his parent, and school personnel, shall meet to resolve issues related to the pupil’s nonattendance. Other community service providers may also be included in the conference.

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

4. **Parental Cooperation in Remedying Excessive Unexcused Absences**
   It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student’s attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remedying the student’s attendance problem, the Division Superintendent or the Division Superintendent’s designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge and approval of the Division Superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent’s failure to comply with the requirements of § 22.1-258, the attendance officer shall document the school division’s compliance with this Code section.

**REPORT FOR SUSPENSION OF DRIVER’S LICENSE**

In addition to any other actions taken pursuant to this policy, 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 take action to suspend the student’s driver’s license.

**ATTENDANCE REPORTING**

Student attendance shall be monitored and reported as required by state law and regulations. The Code of Virginia requires that every school will keep a daily record of student attendance.
In the York County School Division, the principal is held directly responsible for the accounting of the attendance record of each student in the school according to procedures established by the Virginia Department of Education.

At the end of each school year, each public school principal shall report to the Division Superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to number 2 above. The Division Superintendent shall compile this information and provide it annually to the State Superintendent of Public Instruction.

DISMISSAL PRECAUTIONS

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

A request by one parent that a student have no contact or restricted contact with the other parent will be processed through the principal's office with the required legal documentation and sent to the Chief Operations Officer or designee. The request will be evaluated by the county attorney for legal interpretation and recommendation, returned to the Chief Operations Officer or designee for action, and forwarded to the principal who originated the request.

LEAVING SCHOOL GROUNDS

No student will be permitted to leave school prior to dismissal at the request of or in the company of anyone other than a duly authorized school employee, a police officer, a court official, or the parent or guardian who has custody of the child unless written permission is first received from the parent or guardian of the student.

ADOPTED: June 20, 1988; August 28, 1995
REVISED: August 28, 1995; June 22, 2009; June 17, 2011; April 28, 2014
RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009
LEGAL REFERENCES: Code of Virginia, §§ 22.1-254, 22.1-258 through 22.1-269, 22.1-279.3; 46.2-323 and 46.2-334.001; 8 VAC 20-110-10 et seq.
CROSS-REFERENCES: IGAJ Driver Education
JFC Student Conduct
EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.

2. On the recommendation of the juvenile and domestic relations court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with his parents, is opposed to attendance at a school by reason of concern for the student’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.

The 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 student who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or

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

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

- The student must be at least sixteen 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 to develop the plan, which must include the following:
  - Career guidance counseling;
  - Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the school board, with attendance reported to the principal or his designee;
  - Counseling on the economic impact of failing to complete high school; and
  - Procedures for re-enrollment.
• A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan shall be in violation of the compulsory attendance laws, and the Division Superintendent or attendance officer shall seek immediate compliance with such laws.

The compulsory attendance requirement does not apply to the following children:

1. Children suffering from contagious or infectious diseases when the physical incapacity is established by a written statement from a physician or nurse practitioner attending the child, giving the reasons for the student's inability to participate in school.

2. Children whose immunizations against communicable diseases have not been completed.

3. Any child who will not have reached his sixth birthday on or before September 30 whose parent or guardian notifies the 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.

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

5. Any request for exemption from attendance shall be presented annually in writing to the Division Superintendent or his/her designee.

6. All other exemptions granted by the York County School Board shall be in accordance with existing state law.

ALTERNATIVE EDUCATION PROGRAMS

The Division Superintendent, pursuant to regulations adopted by the school board, may in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth’s laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Division Superintendent of the school division pursuant to subsection G of Va. Code § 16.1-260; (iii) suspended pursuant to Va. Code § 22.1-277.05; or (iv) expelled from school attendance pursuant to Va. Code § 22.1-277, require a student to attend an alternative education program as provided by Va. Code § 22.1-209.1:2 or 22.1-277.2:1.

Prior to requiring a student to attend an alternative education program, the Division Superintendent shall provide: (1) written notice to the student and his parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and his/her parent/guardian of the right to a hearing before the Division Superintendent or his/her designee regarding the placement. The decision of the Division
Superintendent or his designee regarding such alternative education placement shall be final unless altered by the school board, upon timely written petition, as established in regulation, by the student or his parent, for a review of the record by the school board.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board 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.

ADOPTED: June 17, 2011

RESTATEMENT: April 28, 2014


CROSS-REFERENCES: JEA Compulsory Attendance
JHCC Communicable Diseases
LBD Home Instruction
FRATERNITIES AND SORORITIES

Fraternities and sororities are not recognized by the York County School Division. Fraternity or sorority activity or promotion of same is prohibited on school property.

ADOPTED: June 20, 1988

RESTATEMENT: August 28, 1995; August 27, 2001; November 28, 2005; June 22, 2009; June 17, 2011; April 28, 2014
PARTICIPATION IN POLITICAL CAMPAIGNS

Students shall not be required by any School Board employee to participate in local, state or national political campaigns. Specifically, students are not required to convey or deliver any materials that (i) advocate the election or defeat of any candidate for elective office, (ii) advocate the passage or defeat of any referendum question, or (iii) advocate the passage or defeat of any matter pending before a local school board, local governing body or the General Assembly of Virginia or the Congress of the United States.

This section shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects or to prohibit the delivery of informational materials.

ADOPTED: November 20, 2000
REVISED: April 28, 2014
RESTATEMENT: June 17, 2011
LEGAL REFERENCE: Code of Virginia, Section 22.1-79.3.B
STUDENT CONDUCT

The standards of student conduct are designed to define the basic rules and major expectations of students in the York County School Division. It is the responsibility of the York County School Board to adopt policy and the administration to issue regulations establishing rules of conduct for student behavior in order to protect the health, safety and welfare of its students. The school principal has the responsibility and authority to exercise reasonable judgment in enforcing this Code of Conduct. Principals are responsible for ensuring that all students, staff members, and parents are provided the opportunity to become familiar with this policy.

The Superintendent shall issue Standards of Student Conduct, and a list of possible corrective actions for violation of the Standards of Conduct. 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. The Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory school attendance law shall be sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the receipt of the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3, and the compulsory school attendance law shall also be sent. Parents shall be notified that by signing the statement of receipt, parents are not deemed to waive, but expressly reserve, their rights protected by the constitution or laws of the United States or Virginia. Each school shall maintain records of the signed statements.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or his designee to review the School Board's Standards of Student Conduct and the parent's or parents’ responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student’s compliance with compulsory school attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress. The administrator of the building should exercise reasonable judgment and consider the circumstances in determining the disciplinary action to be administered.

Each student has the right to expect an educational environment in which he or she can strive to achieve his or her intellectual potential. 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 the student's behavior and assist the school in enforcing the Standards of Student Conduct and compulsory school attendance. Parents are also expected to maintain regular communication with school authorities, monitor and require daily attendance, and bring to the attention of the school authorities any problem
that affects the student or other children in the school. It is the parents' responsibility to notify
the school of any unusual behavior pattern or medical problem that might lead to serious
difficulties.

The school principal may notify the parents of any student who violates a School Board policy
or the compulsory school attendance requirements when such violation could result in the
student's suspension or the filing of a court petition, whether or not the school administration
has imposed such disciplinary action or filed 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; (3) that, if the student is suspended, the parent may be required to accompany the
student to meet with school officials; and (4) that a petition with the juvenile and domestic
relations court may be filed under certain circumstances to declare the student a child in need
of supervision.

The principal or his designee shall notify the parent of any student involved in an incident
required to be reported to the superintendent and Virginia Board of Education.

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

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

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

- in school or on school property;
- on a school vehicle;
- while participating in or attending any school sponsored activity or trip;
- on the way to and from school; and
- 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.

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

- possession or use of alcohol, illegal drugs, including marijuana, synthetic
  cannabinoids as defined in Va. Code § 18.2-248.1:1, and anabolic steroids, or drug
  paraphernalia;
- selling drugs;
- assault/battery;
- sexual assault;
- arson;
• intentional injury (bullying, fighting);
• theft;
• bomb threats, including false threats, against school personnel or school property;
• use or possession of explosives (see Policy JFCD Weapons in School);
• possession of weapons or firearms (see Policy JFCD Weapons in School);
• extortion, blackmail, or coercion;
• driving without a license on school property;
• homicide;
• burglary;
• sex offenses (indecent exposure, obscene phone calls, sodomy and child molestation);
• malicious mischief;
• shooting;
• any illegal conduct involving firebombs, explosive or incendiary devices or materials, hoax explosive devices or chemical bombs;
• stabbing, cutting or wounding;
• unlawful interference with school authorities including threats;
• unlawful intimidation of school authorities; and
• other unlawful acts including being an accessory to any of these or other unlawful acts.

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

STANDARDS OF STUDENT CONDUCT

The Code of Virginia empowers the School Board to establish policy regarding acceptable student conduct and discipline including their conduct going to and returning from school.

In carrying out the above statutory provisions, principals and teachers have broad discretionary power to discipline students.

Disciplinary procedures and consequences of misconduct shall be explained in a Student Handbook and Conduct Code that is approved annually by the Board.

CONDUCT VIOLATIONS

The following are conduct violations:

1. Alcohol – Use, Possession, and/or Sale/Distribution
2. Arson

1. Assault/Battery on Students or Staff
2. Attendance – Tardiness, Truancy and/or Failure to Report to Class
3. Bullying and Cyber Bullying
4. Burglary
5. Disorderly Conduct/Insubordination
6. Drug Violations
7. Electronic Devices - Inappropriate Use
8. Extortion
9. Fighting/Conflict
10. Gambling
11. Gang Activity
12. Harassment
13. Hazing
14. Homicide
15. Inciting a Riot
16. Kidnapping
17. Other Violations
18. Robbery
19. School Threat
20. Sexual Misconduct Offenses
21. Stalking
22. Technology Use Violations
23. Theft
24. Threats Against Students and Staff
25. Tobacco Offenses
26. Trespassing
27. Vandalism
28. Weapons - Possession/Use of

These conduct violations shall be explained in a Student Conduct Code that is approved annually by the Board.

DETENTION OF STUDENTS

Students may be detained in school for disciplinary or other reasons when appropriate practices for detention as referenced in the Student Handbook are followed. Detention may take one of the following forms:

1. Requiring a student to be present at school before or after the normal student hours.
2. Requiring a student to be present at school on Saturday.
3. Denying a student access to regularly scheduled classes or activities.

RESTITUTION FOR LOST, DAMAGED, DESTROYED OR STOLEN PROPERTY

The student and/or parent will be required to pay the cost of school or personal property lost, damaged, destroyed, or stolen by the student.

ASSAULTS AND RELATED INCIDENTS ON SCHOOL PERSONNEL
The Division Superintendent will report to the Department of Education assaults and related incidents by students on school personnel as required by statute for the purpose of statistical recording.

The following is a summary of the actions a principal will take in regard to assaults and related incidents on school personnel:

1. The school staff will interact with students in a professional manner, and the staff and the students are expected to maintain an environment conducive to learning. Verbal or physical abuse committed by a student on school personnel will be reported to a school administrator and to the Division Superintendent.

2. School personnel who are victims of such verbal or physical abuse committed by a student will be granted compensatory time sufficient for the institution of and, as necessary, participation in appropriate legal proceedings.

Students committing such verbal or physical abuse will be disciplined in accordance with the Student Handbook and Conduct Code.

USE OF BEEPERS, CELLULAR TELEPHONES AND OTHER PORTABLE COMMUNICATION DEVICES ON SCHOOL GROUNDS OR AT SCHOOL FUNCTIONS

The Division Superintendent, by regulation, will establish rules for use or possession of beepers, cellular telephones and other portable electronic communications devices on school property or while attending school functions or activities. Violation of such rules will be considered disruptive behavior, a conduct code violation under File JFC of this Policy Manual.

ADOPTED: June 20, 1988; July 10, 1989; November 24, 1997
RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009
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<th>CROSS-REFERENCES:</th>
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<td>Student Fees, Fines and Charges</td>
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TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers shall have the initial authority to remove a student from class for disruptive behavior. Disruptive behavior is defined as a violation of School Board regulations governing student conduct that disrupts or obstructs the learning environment.

CRITERIA FOR REMOVAL

Prior to the removal of a student from class under this policy, the following criteria must be met:

1. The student’s behavior is disruptive as defined above
2. Removal of the student from class is necessary to restore a learning environment free from interruptions or obstructions caused by the student’s behavior
3. Teacher and/or administrative interventions have been attempted and failed to end the student’s disruptive behavior
4. Notice of the student’s disruptive behavior and the opportunity to meet with the teacher and/or school administrators have been provided to the student’s parents as described below

When all of the above criteria have been satisfied, teacher removal of a student shall be deemed appropriate. The assistance of administrators and/or security personnel may be enlisted as needed.

REQUIREMENTS FOR INCIDENT REPORTS

Teachers will fill out an incident report for each disruptive student removed from class. The report will be turned in to the proper school administrator as soon as possible. The incident report may include a suggestion by the teacher for the length of time the student is to be removed from class.

PROCEDURES FOR WRITTEN NOTIFICATION OF THE STUDENT AND HIS/HER PARENTS REGARDING ANY INCIDENT REPORT, AND THE OPPORTUNITY TO MEET WITH THE TEACHER AND SCHOOL ADMINISTRATOR

Students removed from class will receive a copy of the incident report. The parents of those students will be mailed a copy of the incident report, as well as written notification of the opportunity to meet with the teacher and school administrator.

GUIDELINES FOR THE ALTERNATIVE ASSIGNMENT AND INSTRUCTION OF THESE STUDENTS FOR THE DURATION OF THE REMOVALS

The principal shall determine the appropriate placement of the student. The principal has several options regarding the placement of a removed student that include, but are not limited to:
1. Assigning the student to an alternative program. Alternative assignments and their evaluation should be made on the basis of mutual agreement between teacher and principal.

2. Assigning the student to another class. Disruptive students in secondary schools that change classes during the day should be removed from that period and that period on subsequent days. Disruptive students in elementary schools and schools that do not change classes during the school day should be removed for the remainder of the day and any subsequent days.

3. Suspending or recommending the expulsion of the student. If the principal chooses this option, alternative instruction and assignment of student, if any, shall be provided in accordance with School Board policy. In the case of students with disabilities, alternative instruction and assignment shall be provided in accordance with federal law.

4. Returning the student to class. (See procedures below.)

PROCEDURES FOR THE RETURN OF THESE STUDENTS TO CLASS, FOR TEACHER PARTICIPATION IN DECISIONS TO RETURN THE STUDENT TO THE CLASS FROM WHICH HE/SHE WAS REMOVED, AND FOR THE RESOLUTION OF DISAGREEMENTS BETWEEN THE PRINCIPAL AND THE TEACHER REGARDING SUCH RETURN

The principal shall determine, after consultation with the teacher, the duration of the student’s removal from class. The principal shall notify the teacher of the decision to return the student to class. If the teacher disagrees with the principal’s decision to return a student to the class

• the teacher and principal shall discuss the teacher’s objection to returning the student to class and the principal’s reason for returning the student.

• the teacher, after meeting with the principal, may appeal the principal’s decision to the Division Superintendent or designee within one school day. The incident reports and removal form must accompany the appeal. After discussion with the principal and teacher or receiving their written comments, the decision of the Division Superintendent or designee shall be final. The decision shall be made within forty-eight hours of the teacher’s appeal. During the appeal process, the student shall not be returned to class and the principal will determine an appropriate placement for the student.

Once the decision has been made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior.

OTHER PROVISION

The principal shall ensure that students removed from class under this policy continue to receive an education in accordance with School Board policies.
Application of this policy to students with disabilities shall be consistent with federal and state law and regulations as well as School Board policy regarding students with disabilities.

Teacher deficiencies in classroom management shall be addressed in teacher evaluations.

This policy does not limit or restrict the ability of School Board employees to apply other policies, regulations or laws for maintaining order in the classroom.

ADOPTED: September 28, 1998


LEGAL REFERENCE: Code of Virginia, Section 22.1-276.2

CROSS-REFERENCES: JFC Student Conduct
                    JGDA Disciplining Students with Disabilities
                    JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
                    JGD/JGE Student Suspension/Expulsion
SPORTSMANSHIP, ETHICS AND INTEGRITY

The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

INTERSCHOLASTIC ATHLETIC ACTIVITIES
Interscholastic athletic activities are encouraged in the high schools. Such activities are limited in the middle school and may not be conducted in the elementary grades. All interscholastic athletic activities are conducted according to the rules established by the Virginia High School League (VHSL). The Division Superintendent shall create procedures for staff review of waiver requests to the VHSL transfer rule.

WAIVERS TO THE VIRGINIA HIGH SCHOOL LEAGUE TRANSFER RULE
Eligibility of individual students for Virginia High School League (VHSL) sanctioned activities is dependent upon the provisions of VHSL regulations. Students who enter the ninth grade through residence or acceptance into a designated site program shall establish VHSL eligibility at the school. Once a student establishes eligibility at a high school and the student transfers to another high school for any reason, the student shall be ineligible for 365 days unless there is a corresponding change of address in accordance with the VHSL Regulation.

Specific procedures to request a waiver of the Virginia High School League Transfer Rule are outlined below.

Criteria for Waiver Considerations
According to VHSL “a school board or division superintendent may transfer a student, by name, within the school division without affecting the student’s eligibility by specifically granting a waiver of the Transfer Rule (28A-7-1). Such waivers should be considered for the welfare of the student and/or school system and not for athletic and/or activity purposes.” A waiver of the VHSL Transfer Rule will only be granted for the welfare of a student in those cases of “undue hardship” relating to academic needs, student safety, or student development unrelated to participation in VHSL activities.

As referenced in the Virginia High School League Handbook “undue hardship” is defined as follows: “Undue means not requisite; excessive, too great. A second meaning is not proper,
fitting or right. It must be noted that the reference is to undue hardship. That a rule works some hardship upon a student is not compelling reason to waive the regulation involved. Sometimes hardship upon one party is required or necessary in order to avoid precedent that will make the regulation difficult or impossible to apply in similar circumstances in the future, thus eroding the regulation and opening the door to the very problems the regulation was created to reduce or eliminate. In such cases, even extreme hardship is not undue hardship."

A waiver will be considered by YCSD only for those conditions causing ineligibility which are/were beyond the control of the student, and/or the parent(s) resulting in an undue hardship. Circumstances such as a broken home, death of parent(s) or guardian(s), abandonment, and other exceptional emergency reasons or dire home conditions or incidents of bullying or credible threats to student safety documented by school administrators could be assessed to consider whether undue hardship exists.

In addition, a waiver will be considered by YCSD in the following situations:
- Students who transfer after the start of their freshman year from their home school to York High School to attend the International Baccalaureate (IB) Program; or
- Former IB students who transfer from York High School to their home school after the freshman year; or
- Students who transfer to Bruton High School and enroll in the Medical Academy; or
- Students who transfer to York High School and enroll in the NJROTC program (although students can remain in their home school while participating in NJROTC at York High School).

YCSD Eligibility Appeal Procedures Overview for VHSL Transfer Rule
The student and/or parent must contact the principal to receive information to appeal an ineligibility to the school division. The following procedures must be followed. The Superintendent shall create forms to be used for this process.

Principal
- The principal or his/her designee shall inform the student of the procedures to follow for an appeal to the division, if requested.
- The principal, student or parent(s) shall submit, in writing, to the Director of School Administration a request for a hearing and shall attach the proper documentation supporting the appeal, letter of appeal, YCSD Transfer Certificate and the YCSD waiver forms. The principal shall collect and submit the packet of information to the Director of School Administration. **The Director of School Administration shall not schedule a meeting until the request and all materials have been received.**

Director of School Administration
- The Director of School Administration shall review the case within five working days upon receipt of the request and all materials.
- **The appellant is entitled to be present at the hearing. If he/she chooses not to attend, a conference call shall suffice.**
Within three working days of the hearing, the Director of School Administration shall provide the appellant, in writing, the decision or recommendation.

Superintendent
- If the appellant wishes to further appeal the decision, the appellant shall file a written request for appeal to the Superintendent within five working days after receiving the decision of the Director of School Administration.
- The Superintendent shall give the appellant the opportunity to meet within ten working days after the written request and all materials are received.
- The Superintendent shall inform all parties of the date, time and site of hearing.
- The appellant is entitled to be present.
- The Superintendent shall provide the decision, in writing, to the appellant and to the VHSL within 10 working days of the hearing.

The Board
- If the appellant wishes to further appeal the decision, the appellant shall file a written request for appeal to the Superintendent to be forwarded to the Board within five working days after receiving the decision of the Superintendent.
- The Superintendent shall forward the packet of information to the Board members for a review of the documents.
- The Board may uphold or alter the decision based on the written record or grant a hearing and uphold or alter the decision.
- The Board shall provide the decision in writing to the appellant.

ADOPTED: June 20, 1988
RESTATEMENT: April 19, 1999; June 22, 2009

CERTIFICATE OF TRANSFER
THIS FORM MUST BE FULLY EXECUTED PRIOR TO PARTICIPATION

A. The Receiving School Principal completes this section and forwards to the Sending School Principal.
1. Receiving Principal: ___________________ School: ___________________ Phone: ___________________
2. Student’s Name: ___________________ Grade: _______ Date of Enrollment: _____________
   Student’s Address: __________________________________________________________
   Date of Birth: _____________
3. The student wishes to participate in the following VHSL activity:
   Fall: __________________________________________________________
   Winter: __________________________________________________________
   Spring: __________________________________________________________
4. Student’s reason for transfer: ____________________________________________

B. The Sending School Principal and Athletic Director completes this section and returns to the Receiving School Principal.
1. Sending Principal: ___________________ School: ___________________ Phone: ___________________
2. List ALL VHSL activity participation since first entering Grade 9 (include level of play and school)

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3. The Sending School Principal and Athletic Director certify the following by initialing each:
   a. To my knowledge, recruitment was not involved in any way. _______________________
   b. At the time of transfer, the student was in good standing. _______________________
   c. The student would be academically eligible at my school. _______________________
   d. I have no knowledge that the transfer was for any reason related to athletics. ______
   e. The transfer student would be eligible at my school to participate in athletics. ______
   f. Comments: ________________________________________________________________

4. Sending School A.D.’s signature: ___________________ Date: _____________
5. Sending School Principal’s signature: ___________________ Date: _____________

C. APPROVED
1. The Receiving School Principal certifies (ref. B, 3, a-e) Transfer Rule eligibility on: _____________
2. The student also is eligible under all other and local eligibility standards: Yes _______ No _______
3. Receiving School Principal’s signature: ___________________ Date: _____________
4. Receiving School A.D.’s signature: ___________________ Date: _____________

D. DENIED
1. The Receiving School Principal does not certify (ref. B, 3, a-e) Transfer Rule eligibility: _____________
2. Receiving School Principal’s signature: ___________________ Date: _____________
3. Receiving School A.D.’s signature: ___________________ Date: _____________
APPLICATION FOR WAIVER: HIGH SCHOOL STUDENT TRANSFER RULE

Section A – To be Completed by the Parent
The Superintendent may grant a waiver to VHSL Transfer Rule as long as it is not for athletic and/or activity purposes.

Student’s Name _____________________________________    Grade __________
For what VHSL sport or activity does the student want eligibility? __________________________________
Request for waiver for transfer from ___________________ High School to _________________ High School
Reason for transfer (Provide all documentation necessary to explain the decision and reason for the transfer.)

Was the student enrolled in a designated site program? Yes _______   No _______
Name of Program _______________________     Entry Date ______________________
Has the student applied to VHSL for a waiver?   Yes _______ No _______
Parent’s Signature ___________________________________    Date __________________
Student’s Signature __________________________________ Date __________________

Section B – To be Completed by the Current School Principal
Do you think the strict application of the Transfer Rule in this case would cause any undue hardship on this student? Yes _____ No ______
According to VHSL “undue hardship” is defined as follows: “Undue” means “not requisite; excessive, too great.”
A second meaning is “not proper, fitting or right.” It must be noted that the reference is to undue hardship. That a rule works some hardship upon a student is not compelling reason to waive the regulation involved.
Sometimes hardship upon one party is required or necessary in order to avoid precedent that will make the regulation difficult or impossible to apply in similar circumstances in the future, thus eroding the regulation and opening the door to the very problems the regulation was created to reduce or eliminate. In such cases, even extreme hardship is not undue hardship.

Do you think the reason for the transfer was beyond the control of:
    Parent  Yes _____   No ______
    Student Yes _____   No ______
Please add any information that may affect the decision to grant a waiver of the transfer rule.

Principal’s Signature _________________________________    Date ________________

School ______________________________________________

Superintendent’s Comments/Decision
STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions.

If a student’s riding privileges are suspended or revoked, the student’s parents are responsible for seeing that the student gets to and from school safely.

The bus driver is responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student’s principal and provide a copy of the report to the transportation office.

ADOPTED: April 28, 2014

LEGAL REFERENCES: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, 22.1-181, 22.1-293(B), (D)

CROSS REFERENCES: EEA Student Transportation Services
JFC Student Conduct
WEAPONS IN SCHOOL

I. GENERALLY

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. 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 in accordance with Policy JGD/JGE Student Suspension/Expulsion. 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. Violation of this policy shall require that proceedings for the discipline of the student involved be initiated immediately by the principal. Such weapons include, but are not limited to:

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

II. STUDENTS WITH DISABILITIES

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a
manifestation of the student’s disability. The provisions of Policy JGDA will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a weapons violation.

1. In addition to the authority granted in subsection A above, a student with a disability may also be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, the weapon must meet the following definition:

“a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.”

ADOPTED: June 17, 2011
RESTATEMENT: April 28, 2014
REVISED: June 13, 2014
CROSS-REFERENCES: JGD/JGE Student Suspension/Expulsion
JFC Student Conduct
JGDA Disciplining Students with Disabilities
JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

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GANG ACTIVITY OR ASSOCIATION

The York County School Board recognizes the existence of gangs in the community and the threat they pose to the educational environment. Therefore, 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 computer system at any time. A gang is defined as any group of three or more persons whose purpose includes:

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

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

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act or omission, or using any speech, either verbal or non-verbal (such as gestures or hand-shakes) showing membership or affiliation in a gang;
- using any speech or committing any act or omission in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

The Division Superintendent shall, in cooperation with local law enforcement and/or juvenile agencies, develop a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols. The list shall be updated regularly.

The Division Superintendent shall provide in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

ADOPTED: April 28, 2014

LEGAL REFERENCES: Code of Virginia, as amended, §§ 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2), § 22.1-276.01
TOBACCO-FREE SCHOOL FOR STUDENTS

Smoking, chewing or any other use of any tobacco products by students is prohibited on school property.

For purposes of this policy:

1. “School property” means:
   a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
   b. Any indoor facility or portion of such facility owned or leased or contracted for and used for the provision of regular or routine health care, day care, or early childhood development (Head Start) services;
   c. All vehicles used by the division for transporting students, staff, visitors or other persons.

2. “Tobacco” includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. “Tobacco” includes cloves or any other product packaged for smoking.

3. “Smoking” means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

Students found to be in violation of this policy shall be subject to appropriate disciplinary action.

ELECTRONIC CIGARETTES

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

ADOPTED: June 13, 2014

LEGAL REFERENCES: 20 U.S.C. §§ 6083, 7183
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2825, 15.2-2827, 22.1-79.5, 22.1-279.6

CROSS REFERENCES: JFC Student Conduct
KG Community Use of School Facilities
KGC Tobacco Use on School Property
VIDEO SURVEILLANCE

The York County School Division may use video surveillance equipment to monitor the safety and security of students in high traffic areas of schools and/or on school buses.

ADOPTED: November 28, 2005

RESTATEMENT: June 22, 2009; June 17, 2011; April 28, 2014
ANIMALS AT SCHOOL

Students may not bring pets to school. This does not preclude the use of certain species of animals to complement instructional objectives. If the presence of the animal serves an educational purpose, arrangements should be made to transport the animal to school by private transportation. Health regulations preclude the keeping of animals in the school as mascots.

Service dogs, hearing dogs and three unit service dog teams are permitted at schools in accordance with regulations issued by the Division Superintendent.

ADOPTED: June 20, 1988

REVISED: April 18, 1994; November 24, 2003; November 27, 2007; June 22, 2009

RESTATEMENT: April 19, 1999; June 17, 2011; April 28, 2014

LEGAL REFERENCE: Code of Virginia, Section 51.5-44
QUESTIONING, SEARCHES, AND SEIZURES

QUESTIONING

Law enforcement officials will be permitted to question students while they are under the authority of the school. The following provisions will be met:

1. In most cases, the student’s parent or guardian will be called and be present if the parent or guardian desires; in case the parent cannot be contacted, a probation officer of the juvenile court solicited by the law enforcement official, or with a school administrator present;

2. The questioning will take place in a school with a school administrator present;

3. Information derived from questioning will be kept in strict confidence by school officials unless legal procedures will require otherwise.

4. Students are not to be released into the custody of others without establishing the fact that the person assuming custody is the parent or legal guardian or a person designated by same. Students will not be released into the custody of legal officers unless the officer presents proper identification.

SEARCHES

Lockers and other storage facilities are the property of the School Board and are loaned to students for use during school hours. School officials have the authority in their discretion to open and inspect any and all storage spaces when they believe that such spaces may contain items which endanger the students or the school building. Students are to be made aware of this policy, and their acceptance of a locker is an indication that they fully understand and agree to any provisions of the policy regarding storage space assigned to them either collectively or individually.

School officials also have the right to search any student and/or a student’s personal effects (e.g., purse, book bag, etc.) when there is reasonable suspicion to believe that the student possesses an item which violates law, school policies and regulations or which may be harmful to the school or to students. Such searches will be conducted by a school administrator with another person present. In no event will strip-searches of students be conducted.

The school administration has the authority to conduct routine patrols of student parking lots. Automobiles on school property are subject to search whenever a school administrator has reasonable suspicion to believe that illegal or unauthorized materials are contained in or on the automobile.

Random searches may be conducted on school property using metal detectors or dogs capable of detecting drugs, bombs, and firearms. These searches may be conducted by school
administrators or by law enforcement officers under the supervision of school administrators. Canines shall not be used to search students.

Weapons of any nature on school property or at school functions are prohibited by policy and the Code of Virginia. The school administration has the authority to use stationary or mobile metal detectors to ensure that weapons and other dangerous objects are not brought onto school property or to school-sponsored functions.

SEIZURES

School authorities may seize any illegal, unauthorized or contraband items or materials discovered on school grounds or at school-sponsored functions.

COMPUTER SEARCHES

School computers, software and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school. School officials may search school computers, software and internet access records at any time for any reason and without student consent. Personal electronic devices that access the York County School Division wireless network may be searched.

ADOPTED: June 20, 1988

REVISED: August 28, 1995; August 27, 2001; June 29, 2004; November 28, 2005; June 22, 2009; June 17, 2011

RESTATEMENT: April 28, 2014

LEGAL REFERENCE: Code of Virginia, Section 22.1-279.7

CROSS-REFERENCES: GAB/IIBEA Acceptable Computer System Use
I. Policy Statement
The York County School Board is committed to maintaining an educational environment and workplace that is free from harassment. In accordance with law, the School Board prohibits harassment against students, employees, or others on the basis of sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity. The York County School Board is an equal opportunity employer.

It is a violation of this policy for any student or school personnel to harass a student or school personnel based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists 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 sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists 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 shall: (1) promptly investigate all complaints, written or verbal, of harassment based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, genetic information or any other characteristic protected by law or based on a belief that such characteristic exists at school or any school sponsored activity; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions
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

A. 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 or does not rise to the level of illegal harassment or retaliation 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, but not limited to, socioeconomic level, sexual orientation, or perceived sexual orientation.

The York County School Division expects its entire staff, including the Division Superintendent, the School Board, teachers, other school board employees, employees of virtual school programs, school volunteers who work with or in its schools (“Division Personnel”) and other vendors providing services to the Division and/or students, to set examples for students in terms of appropriate conduct and behavior. Students are best served by a school climate that is both welcoming and professional with very clear standards of conduct. All adults in the Division share the responsibility in creating a safe learning and teaching environment that is free from adult misconduct including adult sexual misconduct.

The protection of students from such misconduct is a Division priority and it is the obligation of all Division Personnel to observe boundaries governing interaction and communication with students. The Division demonstrates its commitment to protecting students from sexual abuse and misconduct through:

• Strict compliance with all state laws and regulations related to the screening of prospective employees for the conviction of barrier crimes and founded cases of child abuse and neglect;
• The development, effective implementation, training and education relating to and enforcement of clear and reasonable policies governing the interaction of students and Division Personnel;

• The establishment of channels of reporting by students and parents of suspected misconduct and abuse, and the prompt notification of law enforcement when criminal activity is alleged or suspected;

• Disclosure of formal reprimands and dismissals for violating Division policies on sexual misconduct and abuse prevention to school divisions seeking references; and

• Strict compliance with all state laws and regulations related to reporting to the Virginia Department of Education of resignations and dismissals of licensed employees related to convictions of barrier crimes and founded cases of abuse.

Adherence to Division policy on student - Division Personnel interactions not only creates a safe and healthy environment for students, it also serves to protect Division Personnel from false accusations and accusations based on misunderstandings.

This policy expands upon, and is established in addition to, the Division policy on the prevention of unlawful harassment.

The Division Superintendent shall take appropriate steps to implement and oversee this Policy by promulgating and implementing Regulations which address:

• Communications between Division Personnel and students;

• Physical contact between Division Personnel and students;

• Social interaction between Division Personnel and students;

• Training relating to and dissemination of this Policy;

• Reporting of suspected misconduct or abuse; and

• Such other topics as may be necessary for the implementation of the provisions of this Policy

III. Complaint Procedure

A. Formal Procedure

1. File Report

Any student or Division personnel who believes he or she has been the victim of harassment based on sex, gender, race, color, national origin, disability, religion,
ancestry, age, marital status, or genetic information or any other characteristic protected by law or based on a belief that such characteristic exists by a student, school personnel or a third party should report the alleged harassment to one of the Compliance Officers designated in this policy 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 one of the Compliance Officers designated in this policy 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 one of the Compliance Officers designated in this policy.

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 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 harassment to the Compliance Officer. Any complaint that involves the Compliance Officer or principal shall be reported to the superintendent.

The complaint, and identity of the complainant 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 complainant who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint.

2. Investigation
Upon receipt of a report of alleged prohibited harassment, 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 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 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 complainant and, in cases involving potential criminal conduct, determining whether law enforcement officials should be notified. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the accused shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Service in accordance with Policy JHG, Child Abuse and Neglect Reporting.
The investigation may consist of personal interviews with the complainant, 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 complainant 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 Division 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 Division Superintendent or designee shall issue a decision regarding whether this policy was violated. This decision must be provided in writing to the complainant and the alleged perpetrator. If the Superintendent or designee determines that it is more likely than not that prohibited harassment occurred, the York County 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 designee determines that prohibited harassment occurred, the Superintendent or designee may determine that school-wide or division-wide training be conducted or that the complainant receives counseling.

4. Appeal
If the superintendent or 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 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.

Compliance Officer
The York County School Board has designated the Chief Human Resources Officer as the Compliance Officer responsible for identifying, investigating, preventing and remedying prohibited harassment. Complaints of harassment may also be made to the Alternate Compliance Officer, the Division’s Chief Operations Officer.

The Compliance Officer shall
• receive reports or complaints of harassment;
• conduct or oversee the investigation of any alleged harassment;
• assess the training needs of the school division in connection with this policy;
• arrange necessary training to achieve compliance with this policy; and
• ensure 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.

1. Informal Procedure
If the complainant and the person accused of harassment agree, the student’s principal or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator.

If the complainant 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 Formal Procedures set forth herein. The principal or designee shall notify the complainant and the person accused of harassment in writing when the complaint has been resolved. The written notice shall state whether prohibited harassment occurred.
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 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.

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 based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status, and genetic information 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. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the Compliance Officers.

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

ADOPTED: January 27, 2014


CROSS REFERENCES: AC Nondiscrimination
GB Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F Report of Harassment
GBM Procedures for Adjusting Employee Grievances
JB Equal Educational Opportunities/
    Nondiscrimination
JFC Student Conduct
GCPD Professional Staff Discipline
JHG Child Abuse and Neglect Reporting
REPORT OF HARASSMENT

Name of Complainant: __________________________________________________________

For Students, School Attending: ________________________________________________

For Employees, Position and Location: __________________________________________

Address, Phone Number and Email Address: ______________________________________

____________________________________________________________________________

Date(s) of Alleged Incident(s) of Harassment ______________________________________

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

____________________________________________________________________________

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

____________________________________________________________________________

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

____________________________________________________________________________

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

____________________________________________________________________________

Signature of Complainant ____________________________________________________________________ Date

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

ADOPTED: January 27, 2014


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CORPORAL PUNISHMENT

No teacher, principal or other person employed by the School Board shall subject a student to corporal punishment. This prohibition does not prohibit the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force

- to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
- to prevent a student from inflicting physical harm on himself;
- for self-defense or the defense of others; or
- to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control.

For the purposes of this section, "corporal punishment" means the infliction of, or causing the infliction of, physical pain on a student as a means of discipline. This definition shall not include physical pain or discomfort caused by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

In addition, this definition shall not include physical pain, injury or discomfort caused by the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control or the use of reasonable and necessary force as permitted by § 22.1-279.1 of the Code of Virginia, 1950, as amended.

ADOPTED: July 10, 1989
REVISED: June 17, 2011; April 28, 2014
RESTATEMENT: August 28, 1995; August 27, 2001; November 28, 2005; June 22, 2009
LEGAL REFERENCES: Code of Virginia, 1950 as amended, §§ 22.1-70, 22.1-78, 22.1-279.1, 63.1-248.4:1
CROSS-REFERENCES: JM Restraint and Seclusion of Students
STUDENT SUSPENSION/EXPULSION

SHORT-TERM SUSPENSION

The Code of Virginia allows for the short-term suspension of students from attendance at school for sufficient cause. A short-term suspension is any disciplinary action whereby a student is not permitted to attend school for a period not to exceed 10 days of school. The principal or assistant principal may suspend a student after giving the student oral or written notice of the charges against him/her and, if he/she denies them, an explanation of the facts known to school personnel and an opportunity for the student to present his or her version of what occurred. Students are not allowed to make up work missed in a class during a suspension. Credit may be given for extended assignments with a due date that occurs during an unexcused absence.

In the case of any student whose presence poses a continuing danger to self, others, or school property, or an ongoing threat of disruption, the student may be removed from school property immediately and provided due process as soon as possible.

Upon suspension of any student, the principal or assistant principal responsible for such suspension will report the facts of the case in writing to the Division Superintendent or designee and the parent or guardian of the suspended student. The Division Superintendent or designee will review the action and will confirm or disapprove such action taken by the principal or assistant principal if a request for such a review by any involved party is requested. The decision of the Division Superintendent is final, and the decision may not be appealed to the School Board.

The oral or written notice given to the parents of a student who is placed on short-term suspension shall include notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student’s right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent of the student.

LONG-TERM SUSPENSION OR EXPULSION

The Code of Virginia allows the long-term suspension and expulsion of students from attendance at school for sufficient cause. A long-term suspension is any disciplinary action whereby a student is not permitted to attend school for more than ten school days but less than 365 calendar days. An expulsion is any disciplinary action imposed by the School Board whereby a student is not permitted to attend school within the School Division and is ineligible for readmission for 365 calendar days after the date of the expulsion.
The principal shall recommend long-term suspension or expulsion to the Division Superintendent or designee. Written notice shall be provided to the student and his or her parents of the proposed action and the reasons and of the right to a hearing before the School Board, and/or the Division Superintendent or designee, in accordance with regulations of the School Board. Written notice to the parents of a student who is placed on long-term suspension or expulsion shall be provided to the parents and shall include notification of the length of the suspension or expulsion, information concerning the availability of community-based educational, alternative education, or intervention programs. In the case of long-term suspension, 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 program approved by the school board during or upon expiration of the suspension. The cost of any community-based educational program, or alternative educational program or intervention program, which is not part of the educational program offered by the school division, shall be borne by the parent of the student.

For expulsions, the notice shall also state whether or not the student is eligible to return to regular school attendance or to attend an appropriate alternative education program during or upon the expiration of the expulsion, the terms and conditions of readmission, the schedule pursuant to which such student may apply and reapply for readmission to school, and any conditions under which readmission may be granted. Such schedule shall be designed to ensure that the hearing and ruling on any initial petition for readmission, if granted, would enable the student to resume school attendance one calendar year from the date of the expulsion. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent of the student.

Students with disabilities identified through the Individuals with Disabilities Education Improvement Act (IDEIA) and students with disabilities identified Section 504 of the Rehabilitation Act of 1973 have specific rights that impose some limitations and additional responsibilities for the School Division to ensure that the students are not discriminated against based on their disability. A recommendation for long-term suspension or expulsion cannot be made until after this determination. In addition, under the IDEIA, students with disabilities who have been placed on long-term suspension or expulsion must be provided access to the curriculum; access may be provided in the home or another setting outside of the school.

SUSPENSION OF A STUDENT FOR MORE THAN 10 DAYS

Pursuant to the Code of Virginia, the County School Board of York County hereby vests the Division Superintendent with the authority to conduct the hearing and to decide whether a student shall be suspended for more than 10 days for the infraction giving rise to the hearing.

The procedure to be followed at the Division Superintendent’s hearing shall comply with the steps listed on the Attachment to this School Board regulation.

The parents of the student suspended by the Division Superintendent following a hearing on the matter conducted in accordance with the Attachment to this School Board regulation shall
have the right to appeal the Division Superintendent’s decision to the School Board. The notice of an appeal must be made in writing, addressed to the Clerk of the School Board, 302 Dare Road, Yorktown, Virginia 23692 and must be postmarked or hand delivered within five working days of the Division Superintendent announcing the decision to suspend the student for more than 10 days.

STUDENTS EXPELLED OR SUSPENDED FOR MORE THAN 30 DAYS

A student that has been expelled or suspended for more than 30 days from attendance at school by a school board or private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from school attendance. The Division Superintendent or designee shall provide written notice to the student and his parents that the student may be subject to exclusion, including the reasons and notice of the opportunity for the student or his parents to participate in a hearing conducted by the Division Superintendent or designee regarding the exclusion. The decision to exclude a student shall be final unless altered by the School Board, upon timely petition of the student so excluded or his parents, for a review of the record.

In the case of suspensions of more than 30 days, the term of the exclusion may not exceed the duration of such suspension. In excluding any expelled student from school attendance, the local school board may accept or waive any or all of any conditions for readmission imposed upon the student by the expelling school board pursuant to the Code of Virginia.

Upon the expiration of the period of an expulsion the student or his parents may petition the school board for admission. If the petition is rejected, the School Board shall identify the length of the continuing expulsion and the subsequent date upon which the student may re-petition the School Board for admission.

DISCIPLINARY AUTHORITY OF SCHOOL BOARD UNDER CERTAIN CONDITIONS

The York County School Board may require any student who has been (i) charged with an offense relating to the Commonwealth’s laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of an offense relating to the Commonwealth’s laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the Division Superintendent pursuant to subsection G of Va. Code § 16.1-260; (iii) found to have committed a serious offense or repeated offenses in violation of school board policies; (iv) suspended pursuant to Va. Code § 22.1-277.05; or expelled from school attendance pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or subsection B of § 22.1-277, to attend an alternative education program. The School Board may require such student to attend such programs regardless of where the crime has occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity 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.
The Division Superintendent or his designee may require students to attend an alternative education program after a written notice to the student and his or her parents and notice of the opportunity for the student or his or her parents to participate in a hearing to be conducted by the Division Superintendent or his designee regarding such placement. The decision of the Division Superintendent or his designee regarding such alternative education placement shall be final unless altered by the School Board, upon timely written petition, as established in regulation, by the student or his parent, for a review of the record by the School Board.

STUDENT RIGHT TO DUE PROCESS AND THE RIGHT TO APPEAL

All students have the right to due process and the right of appeal. Any parent, custodian or legal guardian of a pupil attending the York County School Division has the right of appeal as provided in Section 22.1-87 of the Code of Virginia if he is aggrieved by any action taken by the Board.

These rights shall be explained in a Student Handbook and Conduct Code that is approved annually by the Board.

ADOPTED: September 27, 1999; August 28, 1995; August 27, 2001; November 28, 2005


RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009; April 28, 2014


CROSS-REFERENCES: IGBH Alternative School Programs
                   JEC School Admission
                   JFCD Weapons in School
                   JGDA Disciplining Students with Disabilities
                   JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
DISCIPLINING STUDENTS WITH DISABILITIES

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

1. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern -Change in Placement
   A. For the purpose of removing students with disabilities from their current educational placements, a change in placement occurs when:
      
      (1) the removal is for more than 10 consecutive school days at a time; or
      
      (2) there is a series of removals each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
          
          (a) the length of each removal,
          
          (b) the proximity of the removals,
          
          (c) the total time the student is removed, and
          
          (d) the child’s behavior is substantially similar to the child’s behavior in previous incidents.

      If the disciplinary action will result in a change of placement for a student with a disability then that student’s parents must be sent notice within 24 hours of the recommendation for discipline and be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

2. Short-Term Suspension
   A short-term suspension is a suspension of 10 consecutive days or less at a time.
   
   A. School authorities may remove a student with a disability from his or her current educational setting for up to 10 school days cumulative in a school year to the extent that such removal would be applied to students without disabilities and for additional short-term suspensions provided no pattern exists.

3. Functional Behavior Assessments and Behavior Intervention Plans
   A. If the school administration, the parent, and the relevant Individualized Education Program (IEP) team members determine that a manifestation exists, the IEP team must:
(1) conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,

(2) if the student already has a FBA and BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may agree to a change in placement when reviewing or modifying the BIP. Without this agreement, the student must return to the placement from which the student was removed.

4. Educational Services While Disciplined

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

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

(1) continue to progress in the general curriculum, although in another setting, and

(2) progress toward meeting the goals set out in the student’s IEP.

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

5. Manifestation Determination

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

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

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

(2) determines that:
(a) the conduct in question was not caused by, or had a direct and substantial relationship to, the student's disability; and

(b) the conduct in question was not the direct result of the school division’s failure to implement the IEP.

B. If a manifestation is found, the student cannot be disciplined beyond any permissible short term removal that may be available. A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student’s disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. The student will remain in the interim alternative education setting pending the decision of the hearing officer or the expiration of a forty-five school day removal.

6. Disciplinary Action for Behavior that is Determined Not to be a Manifestation
If the behavior is not a manifestation of the student’s disability, the disciplinary procedures will be applied in the same manner as applied to nondisabled students. Following a removal which constitutes a change in placement, the student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student’s IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the discipline.

7. Disciplinary Action and/or Alternative Placement for Behavior That Is Determined To Be a Manifestation
A student with a disability whose behavior is determined to be a manifestation of his or her disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may also be removed to a more restrictive placement by following change in placement procedures. The IEP team must conduct or review a FBA and/or BIP as provided in Section III.

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

A. Students with disabilities 1) who carry or possess a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD, JFCF or JGDB and may be placed in an interim alternative educational setting for up to forty-five
school days. This option is available without regard to whether a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

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

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

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

11. Students Not Identified as Disabled

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

(1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or

(2) the parent requested an evaluation of the student for special education eligibility through formal evaluation procedures; or
the student’s teacher or other school personnel had expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division.

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

(1) the parents refused to allow an evaluation of the student or refused special education services; or

(2) the student was evaluated and found not eligible for special education services.

C. If a request for an evaluation is made during the period such student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting, in compliance with the procedures for suspended and expelled students with disabilities. Pending the results of the evaluation, the student shall remain in the educational placement determined by the school authorities.

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

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

ADOPTED: June 17, 2011

RESTATEMENT: April 28, 2014


CROSS-REFERENCES: JFC Student Conduct
JFCD Weapons in School
JGD/JGE Student Suspensions/Expulsions
JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
DISCIPLINE OF STUDENTS WITH DISABILITIES FOR INFLICTION OF SERIOUS BODILY INJURY

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

In addition, the applicable procedures of Policies JGDA and JGD/JGE will be followed.

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

ADOPTED: June 17, 2011
RESTATEMENT: April 28, 2014
CROSS-REFERENCES: JFCD Weapons in School
JFCF Drugs in School
JGD/JGE Student Suspension/Expulsion
JGDA Disciplining Students with Disabilities

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STUDENT HEALTH SERVICES AND REQUIREMENTS

York County School Division schools shall comply with the Code of Virginia requirements in matters relating to health, physical examinations, and inoculations. Interpretation of such regulations shall be sought from the Peninsula Department of Health.

SCHOLASTIC ACCIDENT INSURANCE

The York County School Board may adopt a student accident and dental insurance policy for each school session. Membership in the insurance plan will be optional and the premium costs will be borne by students and eligible employees who choose to enroll in the plan.

No other student insurance of any type will be made available through the York County School Division, except while students are being transported via school vehicles.

STUDENT ILLNESS AND ACCIDENTS

Student illness and accidents will be handled as outlined in the Health Services Manual.

STUDENT SAFETY: PROTECTIVE EYE

Students will wear protective eye devices in those areas required by law and in other areas which may be considered dangerous by the principal and Division Superintendent.

ADOPTED: June 20, 1988

REVISED: August 28, 1995; June 17, 2011


LEGAL REFERENCE: Code of Virginia, Section 22.1-275

CROSS-REFERENCES: EBBA First Aid/CPR Certified Personnel
GCPD Professional Staff Discipline
GCPF Suspension of Staff Members
JHCC Communicable Diseases
JHCD Administering Medicines to Students
COMMUNICABLE DISEASES

The York County School Board is committed to providing a healthful environment for all students and employees.

In fulfilling that commitment, the York County School Board recognizes its responsibility to protect the health of its students and employees as well as to uphold their individual rights. The York County School Board, in compliance with the Code of Virginia, will exclude from school or work any person with an infectious or communicable disease. Persons with transmittable diseases will also be excluded. Both the decision to remove the student or employee and the decision to readmit the student or to permit the employee to return to work shall be made by the Division Superintendent based upon consultation with the local health department, the student's or employee's physician, physician assistant, nurse practitioner, and/or other medical authorities.

The identity of a student who has a communicable disease will be kept confidential and will be revealed only in accordance with state and/or federal law. An alternative educational program should be made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Administrative procedures concerning the exclusion of employees and students with communicable diseases will be consistent with the requirements of law, including the policies of the Virginia Department of Education, and should reflect current medical knowledge and research.

The York County School Board believes it has a responsibility to investigate fully the consequences of admitting or excluding an individual with an infectious, communicable or transmittable disease and, as new facts from leading authorities become known, will reexamine the above policy.

ADOPTED: June 20, 1988

REVISION: June 17, 2011

RESTATEMENT: August 28, 1995; August 27, 2001; November 28, 2005; June 22, 2009; April 28, 2014


CROSS-REFERENCES: EBAB Possible Exposure to Viral Infections
EBBB Personnel Training—Viral Infections
POLICY FOR SCHOOL ATTENDANCE FOR CHILDREN WITH HUMAN IMMUNODEFICIENCY VIRUS

The York County School Division will work cooperatively with the Peninsula Department of Health to ensure compliance with the Code of Virginia for school attendance of children infected with human immunodeficiency virus (HIV).

Students are expected to be in compliance with the immunization schedule; however, some required immunizations may be harmful to the health of the student who is HIV infected or has AIDS. Students who are HIV infected or have AIDS may get an exemption from complying with the requirements. School personnel will cooperate with public health personnel in completing and coordinating immunization data, exemptions, and exclusions, including immunization forms.

Mandatory screening for HIV infection is not warranted as a condition for school entry. Upon learning a student is HIV infected or has AIDS, the Division Superintendent will consult with the individual’s family and physician or a health official from the local health department to determine whether the student is well enough to stay in school. Since it is known that HIV is not transmitted through casual contact, any student who is HIV infected will continue education in a regular classroom assignment unless the health status interferes significantly with performance. If a change in the student’s program is necessary, the Division Superintendent or his/her designee, family, and physician or health official will develop an individual plan which is medically, legally, and educationally sound. If the HIV student is receiving special education services, the services will be in agreement with established policies.

Parents/guardians may appeal decisions for restriction or exclusion as determined by the school division’s established procedures.

All persons privileged with any medical information about HIV infected students shall be required to treat all proceedings, discussions, and documents as confidential information. Individuals will be informed of the situation on a “Need to Know” basis with written consent of the parent/guardian.

Universal precautions for handling blood will be implemented within the school setting and on buses. To ensure implementation of the proper standard operating procedures for all body fluids, the guidelines from the Virginia Department of Health will be followed. In-service training will be provided to all school personnel. Training will include local division policies; etiology, transmission, prevention, and risk reduction of HIV; standard operating procedures for handling blood and body fluids; and community resources available for information and referral. Periodic updates will be supplied through in-service or memoranda.

Comprehensive and age-appropriate instruction on the principal modes by which HIV is spread and the best methods for the reduction and prevention of AIDS are required to encourage the support and protection of the HIV infected student. To enhance school attendance, the school
division will collaborate with public and private organizations in the provision of support services to HIV infected students.

ADOPTED: May 21, 1990

REVISION: June 17, 2011

RESTATEMENT: August 28, 1995; August 27, 2001; November 28, 2005; June 22, 2009; April 28, 2014

LEGAL REFERENCES: Code of Virginia, Sections 22.1-271.3 and 22.1-272
ADMINISTERING MEDICINES TO STUDENTS

PRESCRIPTION MEDICATIONS

The York County School Division personnel may give medication prescribed for individual students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student’s parent or guardian. 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. Medication must be accompanied by signed York County Medication Permission Form. Medication Permission Form will be kept on file in the school clinic and must be renewed every school year.

NONPRESCRIPTION MEDICATIONS

The York County School Division personnel may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse or school division designee by the parent/guardian of the student. Medication must be accompanied by signed York County Medication Permission Form. Medication Permission will be kept on file in the school clinic and must be renewed every school year.

SELF-ADMINISTRATION OF MEDICATION

Self-administration of any medication with the exception of asthma medication and auto-injectable epinephrine, as discussed below, is prohibited for students in grades pre-kindergarten through twelve.

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; and

• information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

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

REGULATIONS
The Division Superintendent shall develop a regulation for administration of medicines to students. The regulation shall include provisions for the handling, storage, monitoring, documentation and disposal of medication.

ADMINISTRATION OF EPINEPHRINE TO STUDENTS
Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, a school nurse or any School Board employee who is authorized and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction during the school day.

ADOPTED: June 20, 1988
RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009
LEGAL REFERENCES: Code of Virginia, as amended, §§ 8.01-225, 22.1-78, 22.1-274.2, 54.1-2952.2, 54.1-2957.02
CROSS-REFERENCES: EBBA First Aid/CPR Certified Personnel
JO Student Records
LACTATION SUPPORT

The superintendent shall designate a non-restroom location in each school as an area in which any mother who is enrolled as a student in the York County School Division may take breaks of reasonable length during the school day to express milk to feed her child until the child reaches the age of one. The area must be shielded from public view.

ADOPTED: June 13, 2014


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CHILD ABUSE AND NEGLECT REPORTING

REPORTING REQUIREMENT

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

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

All persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose.

COMPLAINTS OF ABUSE AND NEGLECT AGAINST SCHOOL PERSONNEL

The school board and the local department of social services shall adopt a written interagency agreement as a protocol for investigating child abuse and neglect reports, including reports of sexual abuse of a student, against school personnel. The interagency agreement shall be based on recommended procedures for conducting investigations developed by the Departments of Education and Social Services.

ADOPTED: June 17, 2011
REVISION: June 13, 2014
RESTATEMENT: April 28, 2014
SAFETY PATROLS

School safety patrols may be organized by the principal with the approval of the Division Superintendent. Students will serve only with the written consent of their parents or guardians and will be selected on the basis of degree of maturity and responsibility. They will receive appropriate instruction and will be at all times under the direction of an adult.

ADOPTED: June 20, 1988
REVISED: August 28, 1995
RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009; June 17, 2011; April 28, 2014
SCHOOL UNIFORMS

The School Board acknowledges that under certain circumstances improved academic achievement of a school student body can be facilitated by having the entire student body wear an appropriate uniform to school on class days. Because the decision to prescribe uniforms for a particular school has wide-ranging implications, the following guidance is provided in coming to a decision to prescribe a uniform for all students attending a particular school.

1. The school community at large, as indicated by at least two-thirds of families with students attending a particular school, must support prescribing uniforms for all students attending the school. For purposes of assessing community support, each family unit shall have one vote, regardless of the number of students from that family unit attending the school.

2. Community support shall be demonstrated by a community survey, presented to the School Board at a regular meeting, signed by one parent from at least two-thirds of families with students attending the school.

3. The community survey shall include a clear description of the uniform proposed for the student body and a clear statement of the goals to be achieved by prescribing a uniform for the students at the school.

4. If approved by the School Board, uniforms will be required at the school for no less than three academic years.

5. School Board approval to prescribe uniforms at a particular school must be granted no later than April prior to the start of the school year when uniforms will first be worn.

6. Prescribing uniforms at a particular school provides no justification for requesting student transfers from that school.

7. Uniform requirements must comply with Board of Education guidelines.

8. Uniform requirements must address state and federal constitutional issues, e.g., freedom of speech.

9. Uniform requirements must accommodate any financial limitations faced by families with students attending the school with prescribed uniforms.

10. No public funds can be used to purchase student uniforms.

The Division Superintendent shall implement this policy by a regulation.

ADOPTED: November 25, 2002
RESTATEMENT: November 28, 2005; June 22, 2009; June 17, 2011; April 28, 2014

LEGAL REFERENCES: Code of Virginia, Section 22.1.79.2; Guidelines Issued by Virginia Department of Education
STUDENT-ATHLETE CONCUSSIONS DURING EXTRACURRICULAR ACTIVITIES

York County School Division recognizes that concussions and head injuries are a commonly reported injury in children and adolescents who participate in sports and recreational activity. Further, York County School Division supports the need to ensure that its staff, its students and the community are aware of the seriousness of brain injuries and concussions and how they can affect the student’s abilities in the educational setting. Therefore, in accordance with Section 22.1-271.5 of the Code of Virginia, it is the policy of the York County School Division that:

1. Students participating in any event or activity who are exposed to a head injury shall be removed from the event or activity and shall promptly be evaluated by appropriate licensed health care providers or properly trained individuals utilizing a standardized concussion sideline assessment instrument;

2. Students who have been diagnosed with or appear to have sustained a concussion shall be given appropriate time to recover and shall not be returned to activities or cognitive or physical events until an evaluation of recovery has been obtained; and

3. Students, parents and guardians shall be supplied, on a regular basis with information describing the symptoms of concussion and the short- and long-term health effects of such condition.

The Division Superintendent shall take appropriate steps to implement and oversee this policy in accordance with the provisions of the Virginia Code, by promulgating and implementing Regulations which address:

1. The establishment of annual concussion education for staff, coaches, volunteers and administrative personnel at the Division and school levels and for students and their parents and/or guardians;

2. The establishment of appropriate Return to Play Protocols and Clearance Procedures;

3. The establishment of appropriate Return to Classroom Activities Protocols and Clearance Procedures;

4. The establishment of a Concussion Policy Management Team which shall be responsible for the annual review of all Policies, Regulations and practices dealing with concussions in students; and

5. Such other topics as may be necessary for the implementation of the provisions of this Policy.
ADOPTED: June 17, 2011
RESTATEMENT: April 28, 2014
LEGAL REFERENCE: Code of Virginia §22.1-271.5
RESTRAINT AND SECLUSION OF STUDENTS

Physical and mechanical restraint and seclusion may only be used consistent with this policy.

As used in this policy,

"physical restraint" means the use of physical force to restrict the free movement of all or a part of a student's body. Excluded from this definition is the use of procedures the use of which is documented in the student's Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

"mechanical restraint" means the use of any device or material attached to a student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove. Excluded from this definition is the use of devices or materials the use of which is documented in the student's Individualized Education Plan (IEP), Section 504 plan, or behavior intervention plan;

"seclusion" means the confinement of a student alone in a separate enclosed space, in a manner that prevents the student from leaving. Seclusion is permitted in accordance with a student's IEP, Section 504, or behavior intervention plan, or to prevent injury to the student or others. When a student is placed in seclusion, he or she will be monitored by a staff member in close proximity. It is preferable that the staff member can see or observe student. A student placed in seclusion will be released from seclusion upon cessation of the behaviors that led to the seclusion; after a reasonable period of time in the seclusion setting during which it is determined that the seclusion will not be effective; or in accordance with the student's IEP, Section 504 plan, or behavior intervention plan. The space used for seclusion must be appropriately lighted, ventilated, and heated or cooled, and free from objects that unreasonably expose the student or others to harm.

Physical restraint, mechanical restraint, and seclusion may only be used by a staff member who has been trained in the proper use of the technique applied or device utilized and should only be used in the following circumstances:

- as needed to protect an individual from his or her own actions;
- as needed to protect others from injury by the restrained person;
- as needed to quell a disturbance;
- as needed to gain possession of weapons or other dangerous objects on the person or within the control of a student;
- as needed for self-defense;
- as needed to escort a student safely from one area to another;
• as reasonably needed to prevent imminent destruction to school or another person's property;

• when using seat belts or other safety restraints to secure a student during transportation;

• to direct the movement or actions of a student to avoid the undue or deliberate disruption of the learning environment;

• as authorized by the Code of Virginia, or

• as authorized by a student's IEP, Section 504 plan or behavior intervention plan.

Nothing in this policy is intended to limit the application of Va. Code § 22.1-279.1 which provides generally that:

No teacher, principal or other person employed by the school board shall subject a student to corporal punishment. This prohibition of corporal punishment shall not be deemed to prevent

• the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;

• the use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;

• the use of reasonable and necessary force to prevent a student from inflicting physical harm on himself;

• the use of reasonable and necessary force for self-defense or the defense of others;

• the use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his control;

• physical pain, injury or discomfort caused by participation in practice or competition in an interscholastic sport; or

• participation in physical education or an extracurricular activity.

DOCUMENTATION AND NOTICE TO PARENTS

A parent or guardian will be notified in writing within a reasonable period of time, not to exceed 15 school days, after any use of

• physical restraint; or

• seclusion resulting in observed physical injury to the student.

The staff member who utilizes restraint or seclusion will be responsible for making a record of information regarding its use including the date, time, duration, precipitating behavior, outcome and other pertinent observations. Documentation is not required when using
mechanical devices that are authorized and utilized for the student's safety or physical support such as bus harnesses, lap belts, rifton chairs and similar devices. This policy does not permit the use of a restraining device to limit a student's mobility when that device is not ordinarily used with the student.

ADOPTED: June 11, 2012

RESTATEMENT: April 28, 2014

LEGAL REFERENCES: Code of Virginia, 1950, as amended, § 22.1-78, 22.1-279.1

CROSS-REFERENCES: IGBA Programs for Students with Disabilities
JFC Student Conduct
JGA Corporal Punishment
JGDA Disciplining Students with Disabilities
JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

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STUDENT FEES, FINES, AND CHARGES

It shall be the policy of the School Board to charge student fees and to recover funds for the loss of or damage to School Board property in accordance with the Code of Virginia.

The School Board shall provide, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher’s price. If sold, the School Board shall ensure that workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge.

Only those fees and charges permitted by law or the regulations of the Board of Education may be required of students. No school or employee may require a fee or charge of any student without the prior approval of the Division Superintendent or his or her designee who may approve such fees and charges only if the school board has adopted a resolution authorizing the Division Superintendent or his or her designee to approve such fees and charges. In approving any such fee or charge, the Division Superintendent/designee shall ensure that the fee or charge is either reduced or waived for those students who are unable to afford them. The Division Superintendent/designee shall inform the school board of any fee or charge assessed, and of any changes to such fees/charges.

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

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

ADOPTED: June 20, 1988

REVISION: June 17, 2011

RESTATEMENT: August 28, 1995; August 27, 2001; November 28, 2005; June 22, 2009; April 28, 2014

STUDENT RECORDS

Generally

The York County School Division maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

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

Definitions

For the purposes of this policy, the York County School Division uses the following definitions.

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

Directory information – information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Data considered to be directory information is as follows:

1. name of student in attendance or no longer in attendance;
2. address;
3. date and place of birth;
4. telephone listing;
5. dates of attendance;
6. participation in officially recognized activities and sports;
7. height and weight, if member of athletic team;
8. awards and honors received; and
9. other similar information.

Directory information may not include the student’s social security number.

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

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

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

- records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;

- records created and maintained for law enforcement purposes by the York County School Division's law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;

- in the case of persons who are employed by the York County School Division School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in his capacity as an employee;

- records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student;

- grades on peer-graded papers before they are collected and recorded by a teacher; and

- any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student’s file or is stored electronically under an individual student’s name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained.

Eligible student – a student who has reached age 18.

Parent – a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.
Student – any person who is or has been in attendance at York County School Division regarding whom the school division maintains education records or personally identifiable information.

Dissemination and Maintenance of Records About Court Proceedings

Adjudications

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

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

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

Petitions and Reports

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

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the Division Superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the Division Superintendent of the division in which the juvenile is enrolled, if known.

- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the Division Superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the
Division Superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.

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

Annual Notification

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

- the right to inspect and review the student’s education records and the procedure for exercising this right;

- the right to request amendment of the student’s educational records that the parent believes to be inaccurate, misleading or in violation of the student’s privacy rights and the procedure for exercising this right;

- the right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent;

- the type of information designated as directory information and the right to opt out of release of directory information;

- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer;

- the right to opt out of the release of the student’s name, address, and phone number to military recruiters or institutions of higher education that request such information;

- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
• the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division’s alleged failure to comply with FERPA.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 10 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

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

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

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

Copies of Education Records

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

Fees for Copies of Records

Parents/Guardians and eligible students may be charged a fee for copying scholastic record data. That fee may not exceed the cost of reproduction. The York County School Division does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

The York County School Division shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

Disclosure of Education Records

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

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

A school official is:
• a person employed by the School Board

• a person appointed or elected to the School Board

• a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist

• a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records

A school official has a legitimate educational interest if the official is:
• performing a task that is specified in his or her position description or by a contract agreement

• performing a task related to a student's education

• performing a task related to the discipline of a student

• providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer. If records or information are released under this provision, the student’s parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.

3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.

4. In connection with a student’s request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.

5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil’s scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency
responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.

6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which

- specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;

- requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;

- requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and

- requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.

7. To accrediting organizations to carry out their functions.

8. To parents of an eligible student who claim the student as a dependent for income tax purposes.

9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.

10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the
school division releases information in connection with an emergency, it will record the following information:

- the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and

- the parties to whom the division disclosed the information.

11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.

12. Directory information so designated by the school division.

13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

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

Audit or Evaluation of Education Programs

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

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

- designates the individual or entity as an authorized representative;

- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;

- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
specifies the time period in which the information must be destroyed; and

establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

The York County School Division will provide, on request made by military recruiters or an institution of higher education, access to secondary school students’ names, addresses, and telephone listings.

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent. The school division will notify parents of the option to make a request and will comply with any request.

The 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.

Record of Disclosure

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

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

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

Directory Information

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

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

Correction of Education Records

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

1. Parents or the eligible student must request in writing that the York County School Division amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student’s privacy or other rights.

2. York County School Division shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student’s rights.

3. Upon request, York County School Division shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.

4. The parent or eligible student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.

5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student’s education records in accordance with FERPA.
6. York County School Division shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.

7. If York County School Division decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.

8. If York County School Division decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

Confidentiality of HIV and Drug and Alcohol Treatment Records

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

ADOPTED: July 10, 1989

AMENDED: December 10, 1990

REVISED: August 28, 1995; May 18, 1998; June 17, 2011; April 28, 2014

RESTATEMENT: August 27, 2001; November 28, 2005; June 22, 2009


CROSS-REFERENCES: IJ Guidance and Counseling Program
JEC School Admission
JECA Admission of Homeless Children
JFC Student Conduct
JGDA Disciplining Students with Disabilities
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STUDENT PUBLICATIONS

Definition of Official School Publications

Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. These publications are not intended to provide a public forum for students or the general public. In all instances related to these publications, the School Board will be the publisher, the principal will be the editor, the faculty sponsor will be co-editor, and students appointed by the co-editor may serve as assistant editors and journalists.

Responsibilities of Student Editors and Journalists

Student editors and journalists shall be responsible for preparing and writing factual material that is not obscene, defamatory, or an invasion of privacy or that

- is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
- which advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
- which advertises or advocates illegal products or services; or
- which advocates prejudice, hatred, violence, or harassment on the basis of race, religion, national origin, ancestry or disability.

Responsibilities of Student Publications Faculty Co-Editor

School publications faculty co-editors shall instruct students in the Code of Ethics of the American Society of Newspaper Editors and help students to understand and follow it. Faculty members shall instruct students in correct and appropriate journalistic techniques and consult with the principal, who is the editor, on material that may violate the law or the journalism Code of Ethics. Material that may be considered controversial by some members of the school community should be carefully considered by students and the faculty editor, and brought to the attention of the principal (editor).

Responsibilities of the School Principal (Editor)

The school principal is responsible for approving material in all publications that may be considered controversial in accordance with School Board policy and his/her judgment and discretion.

ADOPTED: April 28, 2014

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GOALS FOR SCHOOL-COMMUNITY RELATIONS

The York County School Board recognizes that good school-community relations are essential to securing public input and public support for educational programs. The York County School Board will set goals and standards for school-community relations and annually review data from schools and departments relating to programs for fostering effective partnerships and positive relationships with parents, community organizations, the business and industrial sector, and the community at large.

Through its school-community relations program, the Board will encourage the community to

1. take an active interest in the schools and participate in school activities,

2. place a high priority on education and make funds available for an educational system that supports learning for all children, and

3. establish partnerships with the schools to enhance learning opportunities.

ADOPTED: June 20, 1988

REVISED: August 26, 1991; December 14, 1992; December 14, 1998; May 19, 2003; May 20, 2013.

RESTATEMENT: Feb. 26, 2008; February 28, 2011

ADOPTED: 

PUBLIC INFORMATION PROGRAM

The York County School Board recognizes the importance of providing information regarding the school division to the community. The Board will utilize all appropriate means and media in order to

- explain the programs, achievements, and needs of the school division;
- keep students, parents/guardians, and staff members fully informed about Board policies and procedures as well as their own rights and responsibilities;
- communicate factual information regarding the school division: and
- involve students, parents/guardians, and the community in discussions regarding education programs, student activities, and Board policy.

ADOPTED:       June 20, 1988

REVISED:        December 14, 1992; December 14, 1998; May 19, 2003; May 20, 2013.

RESTATEMENT:    Feb. 26, 2008; February 28, 2011


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REQUESTS FOR INFORMATION

The York County School Board believes in the public availability of official records of the Division and in the timely response to those requests. The school division shall comply with Virginia’s Freedom of Information Act (FOIA). All requests for information shall be processed in accordance with regulations established by the Division Superintendent.

ADOPTED: December 14, 1998


RESTATEMENT: February 28, 2011

LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 2.2-3700 et seq.
MEDIA RELATIONS

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities. The Division Superintendent shall establish procedures governing the release of information and protocol for media interviews.

News and information concerning personnel and students shall be released to the press only with the approval of the principal or appropriate division staff and shall be released in accordance with state and federal laws regarding confidentiality. Similarly, members of the media shall be prohibited from interviewing or questioning students on Division property without parent or guardian permission. Additionally, student names and/or photographs shall not be posted on Division websites without parent or guardian permission. Such permission will be obtained through forms distributed upon student enrollment.

ADOPTED: December 14, 1992


RESTATEMENT: February 28, 2011

COMMUNITY INVOLVEMENT IN DECISION MAKING

The York County School Board supports the concept of open, two-way communication with citizens of the county. The York County School Board also recognizes the need for citizen representation on various committees investigating educational issues of importance to the York County School Division.

Accordingly, the School Board will support activities to enhance communications with the community such as convening, when necessary, periodic public forums. One of these forums must focus on the Superintendent’s Operating Budget and must be held prior to the annual public hearings relating to the budget.

ADOPTED:       June 20, 1988
REVISED:        August 26, 1991; December 14, 1992; December 14, 1998; May 19, 2003; May 20, 2013.
RESTATEMENT:    Feb. 26, 2008; February 28, 2011
PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

All meetings of the Board, as provided by law, will be open to the public; correspondingly, interested persons are encouraged to attend both regular meetings and work sessions. Any member of the community may address the Board at any regular meeting at designated times and in accordance with the following guidelines:

1. A sign-up sheet listing name, address and topic will be placed at the entrance to the Board room. Persons who wish to address the Board are requested to sign up prior to the start of the Business portion of the meeting. The meeting location will be opened at least 20 minutes before the meeting to allow for entry. Community members who do not sign up to address the Board prior to the beginning of the Business portion of the meeting will be given an opportunity to speak at the end of the Board's meeting agenda. Such community member comments made at the end of the Board meeting shall be subject to the conditions and limitations listed.

2. The Chair will recognize community members to address the Board on agenda or non-agenda items during the public comment time specified on the agenda. The Chair will impose a time limit of three minutes per speaker, with no more than 30 minutes allocated for the comments of community members. This 30-minute period may be extended at the Chair's discretion.

3. An individual will be limited to one time allotment per meeting.

4. Upon recognition by the Chair, speakers will clearly state their names and addresses and commence their remarks. Speakers will address their remarks to the York County School Board. The Chair has discretionary authority to rule a speaker out of order.

5. The York County School Board will listen to community members' comments and, at the discretion of individual Board members, may engage in dialogue with individual speakers. The Chair will maintain the public meeting's decorum.

Public advisory meetings will be held by the Board when deemed necessary in the interest of the School Division. The Division Superintendent, Chair of the Board, and/or other members of the Board will attend. The Chair will preside or may designate another member or the Division Superintendent to preside.

1. A public advisory meeting will be either a “public forum” or a “public hearing.”
2. A public forum will have for its purpose exchange of information between the York County School Board and York County community members through dialogue. Time limits, location, and schedule will be promulgated by the Chair for each forum.

3. A public hearing will have for its purpose the survey of community members’ views on matters of public policy such as the annual operating budget, the capital improvement budget, and proposed bond issues. The survey will be accomplished by the Board listening to comments of community members who sign up to speak at the public hearing as provided for above. The York County School Board and staff members will not engage in dialogue on the issue at a public hearing. Time limits, location, and schedule will be promulgated for each public hearing by the Chair.

ADOPTED: June 20, 1988

REVISED: August 26, 1991; December 14, 1992; October 24, 1994; December 14, 1998; May 19, 2003; May 20, 2013; June 13, 2014

RESTATEMENT: February 26, 2008; February 28, 2011; November 17, 2014


CROSS REFERENCE: BDDE Rules of Order
DISTRIBUTION OF INFORMATION/MATERIALS

The York County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. The Division Superintendent, or his/her designee, must approve, in advance, any materials sought to be distributed or made available by non-school organizations, including parent-teacher organizations and booster clubs. The distribution in the Division’s schools of newsletters, pamphlets and other materials by students or by groups having no connection with the York County School Division shall be permitted only in accordance with guidelines.

Political Communications

Students shall not be required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.

The use of division resources shall not be used to promote any political candidates, activities or topics. For the purpose of this policy “division resources” includes but it not limited to: email, web based or other electronic media, and announcement systems.

This policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

The Division Superintendent shall promulgate appropriate regulations to implement this policy.

ADOPTED: June 20, 1988


RESTATEMENT: April 19, 1999

LEGAL REFERENCE: U. S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4th Cir. 2006)

ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

I. Instructional Materials and Surveys

A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, videos, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with Policy KBA.

B. Participation in Surveys and Evaluations

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

1. political affiliations or beliefs of the student or the student's parent,
2. mental or psychological problems of the student or the student's family,
3. sex behavior or attitudes,
4. illegal, anti-social, self-incriminating, or demeaning behavior,
5. critical appraisals of other individuals with whom respondents have close family relationships,
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
7. religious practices, affiliations, or beliefs of the student or student's parent, or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

C. Youth Health Risk Behavior Survey

The York County School Board will notify parents of each student enrolled in a middle or high school selected for participation in the survey of student health risk behaviors pursuant to Va. Code § 32.1-73.8, in writing and at least 30 days prior to administration of the survey, that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation in writing prior to
administration of the survey. The notice will inform the parent regarding the nature and types of questions included in the survey, the purposes and age-appropriateness of the survey, how information collected by the survey will be used, who will have access to such information, whether and how any findings or results will be disclosed, and the steps that will be taken to protect students' privacy. Parents have the right to review the survey prior to its administration.

II. Physical Examinations and Screenings

If the York County School Division administers any physical examinations or screenings other than

• those required by Virginia law, and
• surveys administered to a student in accordance with the Individuals with Disabilities Education Act,

policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. Commercial Use of Information

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

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

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

IV. Notification

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

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

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

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

ADOPTED: May 20, 2013.

The York County School Board views each school building as a resource which should be made available, on occasions when the School Division has no requirement for the building, to individual citizens of York County and groups based in York County for purposes of lawful assembly in furtherance of the public good. Such citizens and/or groups may use school facilities for a single event or annual use. More recurring uses may require execution of a lease agreement with the School Division as discussed herein for no more than three years, unless good cause is shown. Exceptions to the three-year lease limitation may be granted to a lessee in yearly increments with no more than two yearly extensions. Lease agreements resulting from the Request for Proposal process are exempt from the three-year limitation.

Implicit in the availability of any school building is the requirement that non-school use place no greater burden, including financial costs, on the School Division as would routine school use. For purposes of this section "based in York County" means chartered/registered with a York County mailing address for the group and/or its principal officer.

Public interest groups generally fall into three categories. First are groups associated directly with schools, such as the PTA, school booster clubs, school alumni associations, school business partners, D.A.R.E. and school-sponsored activities. Second are government agencies engaged in functions such as polling stations for elections and events conducted by elected officials, County Parks and Recreation programs, and state agencies such as the Extension Service. Third are not-for-profit groups based in York County. Groups and/or citizens that advocate social or political change by violence or other illegal means may not use school facilities.

The York County School Board views incidental expenses related to the use of buildings by the above listed public interest groups as inherent in the cost of operating the School Division. The annual operating budget for the School Division will provide for the use of school buildings by such public interest groups. However, when the requested use requires the presence of a York County School Board employee to provide for facility security, the user group shall be charged these labor costs. Additionally, user groups must carry insurance coverage as specified on the facility use request form used to reserve the facility.

Occasional use of buildings by private individuals or groups or individuals or groups not residing or based in York County with a more limited purpose will warrant the imposition of rental fees in addition to labor costs. The Division Superintendent will include in his proposed operating budget each year a schedule of fees to be charged these groups for the use of school buildings. Such fees must, at a minimum, recoup all of the Board's operating costs associated with the use
of the building, and may be in excess of such costs. The approved fee schedule shall be published in the York County School Board's annual operating budget.

Repeated use of a building over a period exceeding four weeks by a particular group shall be the subject of a lease. Such lease shall include a reasonable rent to be paid by the user.

The Division Superintendent shall promulgate appropriate regulations to implement this policy and, as needed, shall report his actions under this policy. The Division Superintendent is expressly authorized to delegate to school principals such authority as the Division Superintendent deems appropriate to facilitate use of buildings in furtherance of York County's public good.

Use of Grounds/Fields

The York County School Board may enter into agreements with the County of York for the purpose of making optimum use of school fields and grounds as a recreational resource for citizens of York County. Such agreements by their terms shall define the scope of and conditions for the use of school fields and grounds for county-sponsored activities.

On occasions when the Division or the County Parks and Recreation Department has no requirement for the grounds/fields, the York County School Board views the use of school grounds and fields as a recreational resource for the citizens of York County. Private groups, not sponsored by the County but composed of County residents, may wish to use school grounds/fields for group activities. Such use must not detrimentally affect grounds/fields, and private groups must agree to usage terms that define the scope of and conditions for the use of school grounds and fields for other than school purposes.

Regular and repeated use of grounds and fields by private groups warrants the imposition of rental fees. The Division Superintendent will include in his proposed budget each year a schedule of fees to be charged these groups for the repeated use of school grounds/fields. Such fees must, at a minimum, recoup all of the Board's operating costs associated with the repeated use of the grounds/fields, and may be in excess of such costs. The approved fee schedule shall be published in the York County School Board's annual operating budget.

REVISED: May 18, 1992; December 14, 1992; November 21, 1994; March 25, 1996; December 14, 1998; May 19, 2003; October 26, 2009; May 20, 2013.

RESTATEMENT: February 28, 2011

LEGAL REFERENCE: Code of Virginia, Sections 22.1-131 and 22.1-132
SALES AND SOLICITATION IN SCHOOLS

No one may sell or offer for sale, within the school, on school grounds, or at school-sponsored activities, any product or service except when the sale will benefit the educational program of the schools.

Solicitation of funds for charitable causes or organizations from pupils at school or by pupils under the school's direction is prohibited regardless of the purpose for which such funds are to be used. This regulation is not to be construed as preventing pupils from participating in service activities of a civic nature. Exceptions to this policy may be granted by the school principal.

Individual discussions between school division employees during school hours are not prohibited.

ADOPTED: June 20, 1988

REVISED: May 19, 2003; May 20, 2013.

RESTATEMENT: December 14, 1992; December 14, 1998; Feb. 26, 2008; February 28, 2011
PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors shall register at the school office on arrival during school hours, and at all office buildings during regular business hours.

No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

In accordance with Policies KGC and JFCH, smoking and the use of electronic cigarettes are not permitted in schools or in school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local law enforcement authorities.

Any person who willfully and maliciously damages, destroys or defaces any school district building, or damages or removes any school property from a school building, will be required to compensate the school division and may be prosecuted.

Any person who willfully interrupts or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be removed from the premises and/or prosecuted.

ADOPTED: May 20, 2013
REVISED: June 13, 2014
LEGAL REFERENCE: 20 U.S.C. §§ 6083, 7183
USE OF TOBACCO AND ELECTRONIC CIGARETTES ON SCHOOL PROPERTY

Smoking, use of electronic cigarettes, or use of other forms of tobacco is prohibited:

- in the interior of indoor facilities owned or leased or contracted for and utilized for the provision of regular kindergarten, elementary, or secondary educational or library services to children;
- on every public school bus and all other vehicles used by the division for transporting students, staff, visitors, or other persons; and
- in every indoor facility, or portion of such facility, owned or leased or contracted for and utilized for the provision of regular or routine health care, day care, or early childhood development services.

Smoking and the use of electronic cigarettes may be permitted by employees in one specific outside location designated by the principal or director in charge of the building. Cautious judgment is to be exercised in selection of the outside location. At no time will York County School Board employees use tobacco in the presence of pupils during school hours or while on duty. Nor will the use of tobacco be permitted at any time in areas near the school building normally used or frequented by pupils or parents.

Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

ADOPTED: May 20, 2013

REVISED: June 13, 2014

LEGAL REFERENCES: 20 U.S.C. §§ 6083, 7183
Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827, 22.1-78, 22.1-79.5
PUBLIC GIFTS TO THE SCHOOLS

From time to time, citizens and others may choose to give, devise or bequeath to the York County School Board or any of the schools in the School Division real or personal property. In such cases the Board, by formal action at a regular meeting, will accept such property upon recommendation of the Division Superintendent. Upon acceptance the title to the property will vest in the York County School Board. The Division Superintendent will establish those administrative procedures he deems necessary for submission of offered property to the York County School Board for acceptance.

The York County School Board will administer such property in accordance with the wishes of the donor and the requirements of law.

ADOPTED: June 20, 1988

REVISED: July 28, 1992; December 14, 1998; May 20, 2013.

RESTATEMENT: December 14, 1992; May 19, 2003; Feb. 26, 2008; February 28, 2011

LEGAL REFERENCE: Code of Virginia, Section 22.1-126
ADVERTISING IN THE SCHOOLS

The County School Board of York County, Virginia has the fundamental obligation to provide an appropriate education for children in the York County School Division. Consequently, in administering public funds the highest priorities will be assigned to those budgetary elements which affect classroom instruction. However, other activities outside the classroom affect the learning environment and the range of opportunities available to students in the York County School Division. Limitations of public funding can place these activities at a disadvantage. Accordingly, the County School Board finds it appropriate to advancing the best interests of the York County School Division to support fund raising activities which can assist directly in the financial support of extra-curricular aspects of School Division operations.

Individual schools may not endorse or imply endorsement of any product. All requests for endorsement should be directed to the Division Superintendent or his/her designee.

In order to solicit advertisements from merchants and business establishments for school publications, school organizations must secure approval from the principal. If there is a need for policy clarification, the principal shall consult with the Division Superintendent or his/her designee.

Advertisements for tobacco products and alcoholic beverages or for commercial establishments whose primary source is the sale of intoxicants are prohibited on school property and in school publications.

Bailey Field Advertisements

The Division Superintendent is authorized to delegate authority for the sale of advertising space at Bailey Field to the York Foundation for Public Education (Foundation). The income derived from such advertisements shall be used to achieve the objectives of the Foundation. Such advertisements will comport with the generally accepted standards of decorum established in the outdoor advertising industry in southeastern Virginia. The Division Superintendent with advice of counsel, by regulation, shall establish the marketing practices and procedures for advertising space.

Channel 47

The Division Superintendent is authorized to accept underwriting of programs or activities offered by private parties for Channel 47. Such underwritings will comply with current FCC regulations and also with the standards of decorum established for similar sponsorships on WHRO-TV, WHRV-FM and WHRO-FM. The Division Superintendent with advice of counsel, by regulation, shall establish the marketing practices and procedures for soliciting underwritings.
The income from such underwritings shall be used to defray the cost of production of the program sponsored and the operating costs of Channel 47.

High School Gym Interiors and Athletic Fields

The Division Superintendent, with the exception of Bailey Field, is authorized to delegate authority to high school principals to sell advertising space in the school’s primary gym and athletic fields. Such advertisements shall be of a non-permanent nature, e.g., banners and flags. The Division Superintendent with advice of counsel, by regulation, shall establish the marketing practices and procedures for selling advertising space in high school gyms and athletic fields. The income derived from such advertisements shall be deposited in the school’s activity fund.

Other Advertisements Prohibited

The list of advertisements and sponsorships provided above is exclusive to each location or medium specified in this policy. Other advertisements at Bailey Field and at other School Division locations or through Channel 47 for a fee are prohibited.

ADOPTED: May 22, 1995
REVISION: January 24, 2011; November 18, 2013
RESTATEMENT: January 25, 1999; May 19, 2003; January 28, 2008; January 24, 2011
SCHOOL VISITORS

The York County School Board encourages all interested citizens to visit Division schools and observe instructional programs and related activities, as long as their presence is not disruptive. Parents are especially encouraged to visit schools on scheduled days for teacher conferences, special school programs and projects, and parent-teacher meetings. The school division expects mutual respect, civility, and orderly conduct from all individuals on school property and at school events.

Anyone, including students, who enters a school or building outside of business hours without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

In order to provide a safe and secure environment for students and staff during operating hours, the Division Superintendent shall promulgate regulations to implement this policy.

ADOPTED: June 20, 1988

REVISED: December 14, 1992; December 14, 1998; May 19, 2003; May 20, 2013.

RESTATEMENT: Feb. 26, 2008; February 28, 2011

PUBLIC COMPLAINTS

A complaint involving a particular school or York County School Board employee will be directed to the principal or immediate supervisor of the employee. If the complaint cannot be resolved at that level, it should be referred to the Division Superintendent or his designee. If the Division Superintendent and complainant are unable to reach a satisfactory solution to the problem, then, at the sole discretion of the Board, the matter may be placed on the agenda of the Board for further review.

Any parent, custodian, or legal guardian of a pupil attending the York County School Division who is aggrieved by an action of the York County School Board may, within thirty days after such action, petition the local circuit court to review the action of the York County School Board. The court shall sustain the action of the York County School Board unless the board exceeded its authority, acted arbitrarily or capriciously, or abused its discretion.

ADOPTED: June 20, 1988


RESTATEMENT: December 14, 1992; December 14, 1998; Feb. 26, 2008; February 28, 2011

RELATIONS WITH PARENT ORGANIZATIONS

The York County School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state statutes. The Board recommends that parent-teacher organizations maintain a close liaison with the Board, administration, and staff, and that they consider School Board and school policies when planning activities.

ADOPTED:       June 20, 1988

REVISED:       December 14, 1992; May 19, 2003; May 20, 2013; June 13, 2014

RESTATEMENT:   December 14, 1998; February 26, 2008; February 28, 2011
SEX OFFENDER REGISTRY NOTIFICATION

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

Annual Notification

At the beginning of each school year, the York County School Division shall notify parents and employees of this policy. The York County School Board will also annually notify the parent of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

Dissemination of Sex Offender Registry Information

Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property.

When registry information is disseminated, it shall include a notice that such information should not be shared with others and may only be used for the purposes discussed below. Employees who share registry information with others may be disciplined.

The York County 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 disseminate registry information to parents.

Use of Sex Offender Registry Information

Registry information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.

1. Registered Sex Offender Sighted. If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Division Superintendent or his designee shall be notified immediately. The Division Superintendent or his designee may, in
his or her discretion, notify local law-enforcement.

2. School Volunteers and Student Teachers. Each staff member shall submit to the Principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. Student teachers and volunteers shall be screened in accordance with procedures established by the Division Superintendent.

3. Contractors’ Employees. In addition to ensuring that the certification requirements of Policy DJF Purchasing Procedures are met, the Division Superintendent shall include language in all Division contracts that requires the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

4. School Division Employees. Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Division Superintendent, or designee, shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Division Superintendent shall notify the York County School Board. The York County School Board will take the appropriate action to comply with state law which may include termination of employment.

5. Parents of Students and other Visitors.

Persons who have been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may be present at school during school hours or during school related or school sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity only as provided in Policy KNA Violent Sex Offenders on School Property.

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent 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 and will state the conditions under which the parent may be present. 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. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the Division Superintendent.

When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school functions, he or she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others.

Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the Division Superintendent.

6. Precautions to Protect Students. When the Division Superintendent, or designee, 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.

Requests for Registry Information

Anyone requesting registry information from the school division shall be referred to the State Police.

ADOPTED: May 20, 2013.


VIOLENT SEX OFFENDERS ON SCHOOL PROPERTY

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

- he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote;
- he is a student enrolled at the school; or
- 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 York County School Board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the York County School Boards’ terms and conditions and those of the court order.

Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy KN Sex Offender Registry Notification.

ADOPTED: MAY 20, 2013.


RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interview a student on school premises, the principal shall be contacted immediately. In most cases, the principal or his/her designee will make a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or his/her designee shall be present throughout the interrogation.

Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the York County School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they shall be served at the principal's office of the school at which the student is in attendance or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

Development of Programs

The York County School Division shall seek to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The Division Superintendent, or designee, shall obtain and use Sex Offender Registry information in accordance with Policy KN.

Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal shall immediately report to local law-enforcement officials all incidents listed below that may constitute a criminal offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person as
described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, synthetic cannabinoids as defined in § 18.2-248.1:1, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property, or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or
6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. The Division Superintendent may establish additional incident reporting requirements.

Adopted: May 20, 2013.

PARENTAL RIGHTS AND RESPONSIBILITIES

It is the policy of the York County School Board to facilitate and promote the participation of parents in the education of their children.

A. When parents of a student are estranged, separated, or divorced, all personnel will respect the parental rights of both parents. Unless there is a court order to the contrary, both parents have the right to:

1. view the child’s school records, in accordance with division policy;
2. receive school progress reports, the school calendar, and notices of major school events;
3. visit the school in accordance with division policy;
4. participate in parent-teacher conferences; in the case of the noncustodial parent, after a timely request is made;
5. receive all notifications in accordance with the Individuals with Disabilities Education Act; and
6. receive notice of the student’s extended absence, if both parents have joint physical custody.

B. Parent Responsibilities

The custodial parent has the responsibility to

1. keep the school office informed of his address and how he or she may be contacted at all times;
2. provide the current address and phone number of the noncustodial parent at registration unless such address is unknown and the parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent; and
3. provide a copy of any legal document which restricts the educational and/or contact rights of the noncustodial parent.
The noncustodial parent has the responsibility to keep the school office apprised of changes in his or her current phone number and address. Further, the noncustodial parent may make timely requests to participate in parent-teacher conferences. At the request of a noncustodial parent, such parent will be included as an emergency contact for the student’s activities unless a court order has been issued to the contrary.

ADOPTED: June 21, 1999, June 29, 2004

REVISED: May 20, 2013.

RESTATEMENT: March 22, 2010,

LEGAL REFERENCES: Federal Family Education Rights and Privacy Act of 1974
Individuals with Disabilities Education Act of 2004
Section 22.1 – 4.3, Code of Virginia
SECTION  L
**SECTION L: EDUCATION AGENCY RELATIONS (Chapter 12)**

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EDUCATION AGENCY RELATIONS GOALS

The County School Board of York County, Virginia will support the endeavors of other educational institutions, as appropriate, whose goals are compatible with those of the division.

To the extent appropriate, the School Division will utilize the resources of other educational institutions for the benefit of its students and the development of its staff.

The School Division will cooperate with educational institutions and agencies in selected areas of research and experimentation which have the potential to increase the effectiveness of teacher preparation or staff development and/or which directly improve the local instructional program. To protect students and teachers from unnecessary intrusions that may disrupt instruction and regular school activities, requests for college students and professors to observe classes or otherwise utilize division students shall be submitted to the superintendent’s designee.

The School Division will strive to improve the climate for education, particularly with reference to expanding the fiscal base, providing for efficient expenditure of funds, and bringing about state or federal legislation which improves education or contributes to division goals.

The School Division will cooperate with professional educational organizations whose goals are compatible with those of the division.

ADOPTED:  June 20, 1988
REVISED:  August 24, 1998; March 25, 2013
RESTATEMENT:  November 28, 2006, May 25, 2010
RELATIONS WITH PRIVATE SCHOOLS

SECTION 12.1.1 - RELATIONS WITH PRIVATE SCHOOLS

The County School Board of York County, Virginia and division superintendent shall work cooperatively with private schools that serve the York County community and students, in matters of common interest, unless expressly prohibited by state statutes, County ordinance or York County School Board policy. The division superintendent is authorized to consult with officials of local private schools to identify areas of mutual concern and interest and to make recommendations to the Board. The School Board will enter into no agreement with any private school within York County to provide student transportation to and from such school.

ADOPTED: June 26, 2007

RESTATEMENT: April 26, 2010; March 25, 2013

LEGAL REFERENCE: Code of Virginia, 1950 as amended, Section 22.1-78; 22.1-176.1
HOME INSTRUCTION

The County School Board of York County, Virginia 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 their fifth birthday on or before September 30 of any school year and who has not passed their eighteenth birthday may elect to provide home instruction in lieu of school attendance if he

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides 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 he is able to provide an adequate education for the child.

DEFINITION

For purposes of this policy, "parent" means the biological parent or adoptive parent, guardian or other person having control or charge of a child.

NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the division superintendent no later than August 15 of his 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 division superintendent of his 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 division 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 division 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 (ii) an evaluation or assessment which the division 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 division 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 division 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 division superintendent, the parent shall submit to such division 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 division 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

Students receiving home instruction and their parents will be notified of the availability of Advanced Placement (AP) and Preliminary Scholastic Aptitude Test (PSAT) examinations and the availability of financial assistance to low-income and needy students to take these examinations. Such notice will be given when the parent notifies the division that the student will receive home instruction.

ADOPTED: March 25, 2013

Pollard v. Goochland County School Board, No. 3:00CV563 (E.D. Va. Sept. 27, 2001)
CHARTER SCHOOLS

Purpose

In order to (i) encourage the development of innovative programs; (ii) provide opportunities for innovative instruction and student assessment; (iii) provide parents and students more choices; (iv) provide innovative scheduling, structure and management; (v) encourage the use of performance-based educational programs; (vi) establish high standards for teachers and administrators; and (vii) develop models for replication in other public schools, the County School Board of York County, Virginia shall receive and consider applications for the establishment of charter schools.

Definition of Charter School

A charter school is a public, nonreligious, or non-home-based alternative school located within the York County School Division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs shall not be permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board will give priority to public charter school applications designed to increase the educational opportunities of at-risk students, particularly those at-risk students currently served by schools that have not achieved full accreditation.

All charter schools shall be subject to federal and state laws, regulations and constitutional provisions prohibiting discrimination in admissions, employment or operation on the basis of disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services. Charter schools shall also be subject to any court-ordered desegregation plan in effect in the School Division. Charter schools, like all public schools, shall also be subject to the requirements of the federal No Child Left Behind Act of 2001.

Application Process

Any person, group or organization may submit an application for the formation of a charter school to the County School Board of York County, Virginia. Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. The Board of Education will examine such applications for feasibility, curriculum, financial soundness, and other objective criteria it may establish, consistent with existing state law. The Board of Education’s review and comment will be for the purpose of ensuring that the
application conforms with such criteria. The School Division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

The Division Superintendent shall establish a regulation for receiving, reviewing and ruling on applications for the establishment of charter schools. Such regulation must include a timeline for the application and review process and the means for reviewing and evaluating each application, including the criteria on which the decision to grant or deny a charter will be based. To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the school board in its decision to grant or deny a public charter school application, the regulation will provide for public notice and the receipt of comment on public charter school applications. The school board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the regulation, including the review criteria, shall be posted on the division’s website and a copy shall be made available to any interested party upon request.

School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, shall be entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, revoked, or not renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation, or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement shall be final and not subject to appeal.

Nothing in this section shall prohibit an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

Charter Contract
Upon approval of a charter application, the School Board and the management committee of the charter school shall enter into a contract which contains all agreements between the School Board and the charter school; the approved application shall serve as the basis for the contract. The charter contract shall also include other provisions negotiated by the School Board or its designee. At a minimum, the charter contract must include:

- All agreements regarding the release of the charter school from School Division policies
- All requests for release from state regulations
- All statutory requirements in the application

A charter may be granted for up to five years. Any material revision of the charter contract shall be made in writing and must be approved by the School Board and the charter school.

Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall designate in its regulation governing charter schools which School Board policies may not be waived. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

Management and Operation

A charter school is the ultimate responsibility of the School Board. However, day-to-day operations shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in the charter school, including but not limited to the renovating, lending, granting, or leasing of public charter school facilities.

Personnel
Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

Revocation and Renewal of the Charter Contract

The School Board may revoke a charter contract if:

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which the public charter school was not specifically exempted.

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by May 1st of the school year the charter expires.
The application for renewal shall contain:

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter;
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations; and
- other information the School Board may require.

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

Reports

The School Board shall report to the Board of Education the following:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract. For any such denial or revocation, the report to the Board of Education shall contain documentation as to the reason for the denial or revocation;
- whether a public charter school is designed to increase the educational opportunities of at-risk students or any students served by schools that have not achieved full accreditation; and
- an annual evaluation of each charter school.

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

ADOPTED: March 25, 2013

Code of Virginia, 1950, as amended, § 22.1-212.5 et seq.
STUDENT TEACHERS

The County School Board of York County, Virginia cooperates with accredited colleges and universities to provide opportunities for student teaching in accordance with the following guidelines:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.
2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.
3. Teachers who serve as supervising teachers will have at least three years of teaching experience, with at least one of those years having been in the school to which the student teacher is assigned.
4. All teachers who serve as supervising teachers will be recommended by the principal of the school to the superintendent or designee for approval.
5. A class will have no more than one student teacher during the regular school year.
6. No supervising teacher will have a student teacher assigned to him for more than one semester during the regular school year.
7. A principal may reject or terminate the assignment of any student teacher who has a negative effect on the instruction or welfare of students.
8. Information concerning students may be available to student teachers at the discretion of the supervising teacher and/or principal. Student teachers will respect the confidential nature of information provided.
9. Student teachers will follow all the policies and regulations of the County School Board of York County, Virginia that apply to teachers.

ADOPTED: June 20, 1988
REVISED: August 24, 1998; March 25, 2013
RESTATEMENT: November 28, 2006, April 26, 2010
LEGAL REFERENCE: Code of Virginia, 1950, as amended, § 22.1-78
ADVANCED/ALTERNATIVE COURSES FOR CREDIT

The County School Board of York County, Virginia will enter into an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

Beginning in the middle school years, students will be counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities will include access to at least three Advanced Placement courses or three college-level courses for degree credit. Students taking advantage of such opportunities shall not be denied participation in school activities for which they are otherwise eligible. Wherever possible, students will be encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- Written approval of the high school principal prior to participation in dual enrollment must be obtained.
- The college must accept the student for admission to the course or courses.
- The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

ADOPTED: March 25, 2013


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RELATIONS WITH EDUCATIONAL ACCREDITATION AGENCIES

The County School Board of York County, Virginia shall be accredited according to standards developed by the Board of Education. The School Board will review the accreditation status of each school in the division annually in a public session of a board meeting.

The School Board will recognize individual schools under the Virginia Index of Performance (VIP) program established by the Board of Education to recognize and reward fully accredited schools that make significant progress toward achieving advanced proficiency levels in reading, mathematics, science, and history and social science, and other indicators of school and student performance that are aligned with Virginia’s goals for public education. The recognition may include public announcements, media releases, and other appropriate recognition.

The School board may ask the Board of Education for release from state regulations and for approval of an Individual School Accreditation Plan for the evaluation of the performance of one or more of its schools as authorized for certain other schools by the Standards of Accreditation pursuant to 8 VAC 20-131-280 C.

ADOPTED: June 20, 1988
REVISED: March 25, 2013
RESTATEMENT: August 24, 1998; November 28, 2006; April 26, 2010

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SUPERINTENDENT REGULATIONS
HANDBOOK OPERATING PROCEDURE

BACKGROUND

School Board Policy File CBA, Qualifications and Duties for the Superintendent, paragraph 23, directs the Superintendent to establish standard operating procedures (SOP) in administrative matters of a continuing or repetitive nature. A logical adjunct to the SOP system is an array of handbooks used to conduct business in the school division. The publishing of handbooks is to enhance administrative efficiency by providing an organized information system. Handbooks formalize the School Division’s corporate memory and make it readily available to employees as well as other concerned parties. Handbooks contribute to the efficient administration of practices and procedures within the school division.

I. SYSTEM COMPONENTS

A. Handbooks

Handbooks are compiled and maintained by the following departments:

1. Human Resources
2. Operations
3. Instruction
4. Finance

The Cabinet member of the department that oversees the handbook will maintain the most updated copy of the handbook. In instances where a handbook fall under the management of more than one cabinet officer, the department cabinet officer that has primary responsibility of the handbook will be the one that maintains and distributes the handbook. The originator will be responsible for the posting of their department handbooks. The revised handbook will be posted on the York County School Division intranet (SID) within 2 business days after its approval.

B. Availability of Handbooks

All Handbooks will be posted on SID and only those handbooks posted on SID are in effect. Handbooks that are embedded in Board policy will also be available and distributed in hard copy. Coordinating the distribution of a handbook resides with the primary department responsible for the handbook.

II. GOVERNANCE

An approved handbook is the Superintendent’s directive to staff to perform a given administrative matter or activity in the York County School Division in accordance with policy and practice. School Board employees are without authority to deviate from the literature of a handbook unless deviation is expressly authorized by the appropriate cabinet officer. Handbooks embedded in Board policy also provide necessary information for other concerned parties.
III. DEVELOPMENT, REVISION AND REVIEW OF HANDBOOKS

A. Proposals
Any School Board employee can propose the development or revision of a handbook. Recommendations to modify an approved handbook shall be directed to the chief of the department that oversees that handbook. Proposals to develop a handbook shall be addressed to the cabinet member having cognizance of the subject area under consideration.

B. Evaluation
The appropriate cabinet officer shall act on all recommendations to develop or revise a handbook. The originator of a recommendation evaluated as deserving no further consideration shall be notified within 15 working days by the cognizant cabinet officer or designee. Notification by email will clearly state the grounds for taking no further action.

C. Development and Review of Handbooks
When appropriate, the cabinet officer or designee shall draft a new or revised handbook. After completing necessary staff coordination, the cabinet officer will forward a final draft to the Superintendent.

Handbooks that are embedded in Board policy must be approved by the Superintendent and School Board on a yearly basis. Modifications to certain handbooks dealing with editorial changes will carry a revision date but do not require the Board’s approval. The originator shall ensure documentation showing updates are filed with the original copy. All handbooks will be reviewed on a yearly basis by the regulating department to see if any revisions are necessary.

D. Promulgation
The person responsible for the required update of each handbook will coordinate posting of the handbook on SID with the Programmer Analyst. Notice will be provided to all personnel that an updated handbook is now available on SID. The originator of the handbook will provide the notice.

ISSUED: May 2008
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
I. BACKGROUND

School Board Policy File CBA, Qualifications and Duties, #29, directs the Superintendent to establish standard operating procedures (SOP) in administrative matters of a continuing or repetitive nature. A logical adjunct to the SOP system is the array of administrative forms used to conduct business in the school division. The purpose of an SOP and Administrative Forms (SOP & Admin Forms) system is to enhance administrative efficiency by incorporating in an SOP or administrative form lessons learned in previous work on a particular matter. An SOP & Forms system formalizes the School Division’s corporate memory and makes it readily available to both new employees and to experienced employees who have not dealt with a particular administrative routine for some time. In essence, the SOP & Forms system precludes the need for School Board employees to reinvent the wheel on a periodic basis. Handbooks are another technique to effect efficient administration within the school division. Handbooks are issued and maintained pursuant to S.REG. - CBA29-2 Handbook Operating Procedure.

II. SYSTEM COMPONENTS

The SOP & Admin Forms system compiles and maintains SOP’s and administrative forms on individual subjects as follows:

A. SOP File

The Manager of the School Board Office Building will maintain the original copy of each SOP. When the SOP affects areas under the management of more than one cabinet officer, the cabinet officers involved will mutually agree on the “TITLE.” The originator will cause each new and revised SOP to be posted on the York County School Division intranet (Sid) within 2 business days after approval by the Superintendent.

B. Administrative Forms File

The Manager of the School Board Office Building will maintain the original copy of each administrative form. When the form affects areas under the management of more than one cabinet officer, the cabinet officers involved will mutually agree on the title of the form. Only administrative forms approved by a cabinet officer will be effective and distributed. The originator will cause each new and revised administrative form to be posted on Sid within 2 business days after approval.

C. Individual Standard Operating Procedures

1. Each SOP will be arranged in the following format.

   a. TITLE – a relevant descriptive text identifying the essence of the SOP “York County School Division” will be excluded from the title.
   b. ORIGINATOR/POSITION
   c. BACKGROUND – the first sentence in the text should address the applicability of the SOP.
   d. RELATED PROCEDURES – identify all related handbooks, SOP’s and S.REG’s., with digital links included in the text.
e. DETAILED PROCEDURES – following an “outline” format, list the steps to complete the procedures and provide a digital link to any referenced administrative form.

f. SUPERINTENDENT’S APPROVAL

2. Originators will coordinate drafting of SOPs with the SBO Building Manager to ensure consistency of layout and typeset.

D. Individual Administrative Forms.

Each form will include the following information. The format of the form will be designed by the originator.

1. TITLE – a relevant descriptive term identifying the essence of the form. “York County School Division” will be excluded from the title.
2. ORIGINATOR’S POSITION
3. FORM NUMBER (assigned by IT)
4. DATE ISSUED

E. Availability of SOP’s and Administrative Forms

All SOP’s and Administrative Forms will be posted on Sid and will be reached via the SEARCH feature provided in the relevant Sid File. Only SOP’s and administrative forms posted on Sid are in effect.

III. GOVERNANCE

An approved SOP is the Superintendent’s directive to staff to perform a given administrative matter or activity in the York County School Division in accordance with the SOP. School Board employees are without authority to deviate from the requirements of an SOP unless deviation is expressly authorized by the appropriate cabinet officer. An approved administrative form is the specified vehicle for conducting the transaction addressed in the form. Use of an ad hoc form must be approved by the appropriate cabinet officer in advance.

IV. DEVELOPMENT, REVISION AND CANCELLATION OF AN SOP OR ADMINISTRATIVE FORM

A. Proposals

Any School Board employee can propose developing, revising or cancelling an SOP or administrative form. Recommendations to modify or cancel an approved SOP or administrative form shall be directed to the originator identified in the SOP or form. Proposals to develop an SOP or form shall be addressed to the cabinet having cognizance of the subject area under consideration.

B. Evaluation

The appropriate cabinet officer shall act on all recommendations to develop, revise or cancel an SOP or administrative form. The originator of a recommendation evaluated as
deserving no further consideration shall be notified within 15 working by the cognizant cabinet officer or designee. Notification by email will clearly state the grounds for taking no further action.

C. Development
When appropriate, the cabinet officer or designee shall draft a new or revised SOP, or draft a memorandum by which the Superintendent will cancel an existing SOP. After completing necessary staff coordination, the cabinet officer will forward a final draft to the Superintendent. For administrative forms, the cabinet officer will approve the final edition of the new or revised form.

Modifications to SOPs or administrative forms dealing only with position/department name changes will carry a revision date but do not require the Superintendent’s signature. The originator shall ensure the document showing format updates is filed with the original signed copy.

C. Promulgation
The originator of an SOP approved by the Superintendent or an Administrative Form will coordinate posting of the SOP or form on Sid with the SBO Office Manager. Notice will be provide to all personnel to whom the SOP applies by the appropriate cabinet member. If the cabinet member is unavailable, the Manager of the School Board Office Building may provide the notice.

ISSUED: December 18, 1991
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
STAFF DEVELOPMENT FUNDING

1. INTRODUCTION

The School Board allocates funds on an annual basis to support professional development needs for the purpose of refining professional skills necessary to effectively implement the programs and initiatives of the School Division. It is essential that these funds be allocated in a manner that ensures maximum benefit to the School Division.

Activities that support YCSD Professional Development Initiatives and that are appropriate for division-level professional development funding include:

- Professional Development Academy sessions
- Optional or mandated professional development activities that occur before, during, or after the school day
- Division-wide programs
- Division training that occurs before or during the school year
- Local, state, and national conferences and workshops

Funding Sources for School Division Professional Development Activities:

- Competitive grants
- York County School Division operating budget funds managed by the Instruction Department (licensed program)

2. SCHOOL DIVISION PROFESSIONAL DEVELOPMENT FUNDS ARE TO BE ALLOTTED EACH FISCAL YEAR IN THE FOLLOWING PRESCRIBED MANNER:

- Site-based professional development funds for licensed staff are based on a defined formula (budgeted amount for site-based professional development divided by the total number of licensed staff members in the Division, pro-rated by building) and will be managed by building principals.
- Department professional development funds will be managed by instructional directors.
- Designated professional development funds will be managed by the Chief Academic Officer (CAO).
- Division-wide professional development funds will be managed by the Director of Elementary Instruction (DSI).

3. PROCEDURES FOR USING SCHOOL DIVISION PROFESSIONAL DEVELOPMENT FUNDS
1. All requests for Division funding will be sent to DSI using the Professional Development Request (PDR) form (I-72). The DSI will initiate the funding process with an approval signature.

2. Teachers’ requests for site-based funds will be sent directly to the building principal using the PDR form. Principals will determine whether to fund the request, deny the request, or forward the request to the DSI for funding from division accounts. Only the principal’s approval is needed for site-based funding.

3. Administrators:
   a. Principals will request approval for their professional development, using the PDR form, from DSI. Site-based funding will be used for local and state conferences. Principals will approve assistant principals’ Professional Development Requests and will use site-based funding. No more than one administrator per building will attend each local or state conference.
   b. Directors will approve professional development requests from associate directors and instructional specialists using the PDR form. The CAO will approve professional development requests from directors using the PDR form.
   c. National conference travel will be funded by Division professional development funds. Principals’ national conference travel will be scheduled on a rotating basis by the DSI. These requests will be submitted to the DSI on the PDR form. Additional requests for national travel will be submitted to the DSI on the PDR form. The DSI and the CAO will review all requests for approval.

4. All requests should be made 30 days prior to the date of the activity.

4. MONITORING GUIDELINES FOR APPROVAL OF PROFESSIONAL DEVELOPMENT REQUESTS (PDRS)

   1. An activity is approved and reimbursable only when a PDR form (I-72) is approved and returned to the person making the request.

   2. A staff member making unauthorized professional development expenditures may not be reimbursed by the Division.

   3. Prior to entering into any professional development activity that will: 1) require substantial time away from an employee’s regularly assigned work duties; 2) involve a significant financial investment by the Division; and/or 3) result in the employee achieving enhanced credentials such as a particular licensure, certification, or diploma an employee may be required to sign a training agreement with the Division. This agreement will state the estimated cost of the training and the employee’s agreement to repay the Division that amount if the employee should: 1) terminate employment with the Division prior to a reasonable amount of time following the completion of the training; or 2) fail to successfully complete the training program without good cause.
The employee’s supervisor shall review and discuss with the employee the terms of the agreement prior to offering the agreement for signature.

4. An employee who desires to present a program at a conference/workshop must obtain permission to serve as a presenter prior to submitting a PDR to attend the conference/workshop. The employee must obtain permission to serve as a presenter from the employee’s immediate supervisor (principal or director) and the ASI.

5. The “Rationale” section on the PDR form must document the need for attendance relative to Division professional development initiatives and aligned with Division goals.

6. For licensed employee absences occurring on instructional days, the building principal will manage professional development attendance by his/her faculty so that continuity of instruction and a safe school environment are maintained. Teachers are discouraged from attending staff development activities during school hours during the month of September.

7. Professional leave will be scheduled to ensure a building has an administrator (principal or assistant principal) present in the School Division during the instructional day.

8. When considering PDRs from persons based at the School Board Office or other non-student facilities, leave will be scheduled such that a department will have at least one representative present in the School Division during the instructional day.

9. Generally, employees will receive conference travel funds for no more than one (1) national conference per year.

10. All professional development using site-based funds will be recorded in the school’s professional development database by the principal or designee and all Division-level funded activities will be recorded in the Division database by the appropriate accounting technician.

11. Upon completion of a Division-approved professional development activity, the employee will submit travel vouchers with receipts to the appropriate Accounting Technician. The Finance Department will process the voucher for payment. Travel vouchers should be submitted within 60 days of the professional development activity.

12. Employees receiving professional development funding may be asked to disseminate information to other Division employees.

13. Exceptions:

   1. For principals, exceptions may be made by the appropriate director and/or the CAO.

   2. For instructional specialists and associate directors, exceptions shall be made by the appropriate director.
3. For directors, exceptions may be made by the CAO.

ISSUED: July 28, 2003

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
POSITION CONTROL

I. BACKGROUND

School Board Policy File CBA, Qualifications and Duties for the Superintendent, paragraph 26, directs the Superintendent to prepare and submit to the Board an annual operative budget. As 85% of the annual operating budget is consumed by personnel expenses, formal position control is vital for strong fiscal management. Under this regulation, the Division Superintendent seeks to facilitate thorough planning to develop budgets and to guide expenditures affecting staffing levels. Effective personnel planning will achieve the greatest educational returns and the greatest contributions to the educational program.

Positions are defined by several criteria including, but not limited to, title, job description, general ledger number, location, supervisor, number of days assigned, and number of hours per day.

II. DETAILED PROCEDURES

A. Upon approval of the Annual Budget the Chief Human Resources Officer (CHRO) will identify to cabinet members new positions authorized for and old positions deleted from the previous fiscal year’s staffing levels. Cabinet members in turn will notify appropriate Directors. Directors will submit to the CHRO within two weeks all required information to establish or delete the position in the Human Resources Management System (HRMS).

B. The CHRO shall maintain the official roster of authorized staff positions in the HRMS. Only the CHRO or the Director’s designees have authority to amend the position data base.

C. Changes to the HRMS position data base will be accomplished pursuant to a Standard Operating Procedure. Specifically, the Standard Operating Procedure sets forth protocols for:

1. Entering new positions authorized by the School Board’s approved Operating Budget for the next fiscal year.
2. Deleting current positions as directed in the School Board’s approved Operating Budget for the next fiscal year.
3. Changing attributes of an authorized position during the courses of a Fiscal Year.
4. Actions required by other Standard Operating Procedures and other Superintendent Regulations related to managing staff and human resources.

D. Position Requisitions will be processed within 5 days. Approved changes to positions will be effective only after the completed review is given final approval by the CHRO.

E. Related Standard Operating Procedures remain in effect. These include, but are not limited to Position Review Procedures, Intra-school/Intra-department Duty Change Notification, and Employee Status Change Processing Procedures.

ISSUED: February 15, 2005
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SECTION D
STUDENT ACTIVITY FUNDS

School Board Policy File DGC provides that “student activity funds are intended to finance programs within the schools and must be expended in a manner to benefit the student body. The funds are to be maintained in a manner consistent with the Regulations of the State Board of Education.”

The responsibility of safeguarding, accounting and managing the school activity funds in each school rests solely with the principal who shall comply with the policies, rules and procedures as set forth in the Student Activities Fund Manual. The duties to be performed in providing proper management and security of the funds may be delegated to the degree desired by the principal, but the responsibility for managing school activity funds remains with the principal.

The Student Activities Fund Manual is the attachment to this Superintendent’s Regulation. A copy of this regulation shall be included in the Manual. However, a copy of the Manual shall not be included in the Superintendent’s Regulations Manual.

ISSUED: February 8, 1995
REISSUED: April 29, 1996; January 31, 2001; June 1, 2006; December 15, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
The School Board in Policy File DGCX has authorized the principal of each school to execute contracts in which monetary consideration is provided from the School’s Activity Fund. Such expenditures shall comply with the Virginia Public Procurement Act and all written contracts shall be approved as to form by the County Attorney before execution. The following conditions apply to the exercise of the authority to execute contracts.

1. Contracts shall be for a time period not to exceed one year. However, a contract can include a renewal clause, conditioned on satisfactory performance. No annual contract will be renewed more than twice.

2. All written contracts shall be forwarded to the County Attorney’s office through the Chief Financial Officer before execution.

3. As provided by Virginia Code Section 2.2-4346, procurement of the following items can be made by competitive negotiations:
   a. Photographs
   b. Class Rings
   c. Yearbooks
   d. Caps and Gowns
   e. Graduation Announcements

To realize the financial benefits of buying in volume and to effect administrative efficiency, procurement of the above items for all schools will be done at the same time under the coordination of the Chief Financial Officer. However, individual principals will choose the proposal best suited for their school and will execute the appropriate contracts.

4. Contracts expected to exceed $15,000 shall be procured through the Central Purchasing Office. Contracts for a lesser amount shall be procured by informal means which are competitive in nature and which assure procurement of good value for school funds expended.

5. Principals shall direct questions regarding the formalities of complying with the Virginia Public Procurement Act to the Chief Financial Officer.
ISSUED: April 29, 1996
REISSUED: June 1, 2006; December 15, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
PAYROLL CHECK DISTRIBUTION PROCEDURES

The following procedures will be followed in the distribution of pay checks:

A. Paychecks and electronic funds transfers for all contracted employees of the York County School Board will be dated for the final day of duty of each month and will be distributed to teachers through the principal of the individual school and to other employees through the department supervisor or on an individual basis.

B. December checks will be dated the last work day before the Winter holidays and will be distributed through the regular procedure on the last day before the Winter holidays.

ADOPTED: June 20, 1988
LEGAL REFERENCE: Code of Virginia, Section 22.1-296
REISSUED: April 29, 1996; June 1, 2006; December 15, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
PAYROLL DEDUCTIONS

No deductions will be made from the salary of any employee except as required by law including garnishments and IRS liens, or approved by the Board, and requested by the employee. Deductions from salary which are required by law are:

1. Federal Withholding Tax
2. FICA (Social Security)
3. Virginia State Withholding Tax
4. Virginia Retirement System (eligible employees)

Premiums for insurance programs and approved deferred retirement plans which the employee may elect to join are also approved for payroll deduction. A stub showing deductions is attached to each employee’s check. The School Board reserves the right to limit deductions for withholding of salary for insurance, professional organizations and contributions.

ADOPTED: June 20, 1988
REISSUED: April 29, 1996; June 1, 2006; December 15, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
Under the laws of Virginia, an employee injured on the job is entitled to medical care at the employer’s expense. In case of serious injury, an employee is entitled to wages while recovering from the injury. The York County School Board discharges its financial responsibilities by purchasing Workers’ Compensation insurance. The York County School Division participates in a self-insured program with other school divisions and other counties and cities in Virginia. The annual cost of Workers’ Compensation insurance is a direct function of the expenses related to employees injured on the job.

The management effort to minimize on the job injuries, to report injuries which do occur, to monitor medical treatment and to arrange replacement teachers/employees as needed requires teamwork. Each principal, each director, and each subordinate supervisor is a member of the management team charged with the responsibility of administering the following procedures for dealing with on the job injuries in the York County School Division.

DETAILED PROCEDURES:

I. The Chief Financial Officer, in coordinating risk management activities, will administer these Workers’ Compensation procedures and as necessary, recommend changes to enhance operational effectiveness and financial efficiency.

II. Directors, Principals, Supervisors

   A. Directors, principals and supervisors (hereafter referred to as ‘Supervisor’) will submit to the Risk Management/Payroll Technician the Employer First Report Data Sheet (Attachment 1) and the Panel of Physicians/Employee Statement (Attachment 2) within 24 hours of the injury to an employee on school property or off site while engaged in school business. All statements on the report form shall be factual, not opinions. Include statements of witnesses and the injured as available.

   B. The Supervisor will give the employee the Medical Authorization Form (Attachment 3) if the employee needs to seek medical attention.

   C. The Supervisor will submit to the Risk Management/Payroll Technician the Employer First Report Data Sheet (Attachment 1) within 24 hours, upon notice of the injury to an employee in the school, on school property or off site while engaged in school business. The Employer First Report Data Sheet will be completed and processed as follows:
1. If the employee does not seek medical attention, the supervisor will complete Section A and the employee will sign and date the form. Section B will be completed by the Risk Management/Payroll Technician.

2. If the employee seeks medical attention, the supervisor will complete Section A and the employee will sign and date the form. Section B will be completed by the Risk Management/Payroll Technician. The supervisor will give the Medical Authorization Form to the employee and the employee will give the report to the treating physician. The physician will complete the Medical Authorization Form, and the employee will return the Medical Authorization Form to the supervisor. The supervisor will send the Medical Authorization Form to the Risk Management/Payroll Technician, and will make a copy for school files.

3. In the case of an emergency, the injured employee should seek medical attention immediately. The supervisor will notify the Risk Management/Payroll Technician by telephone and complete the Employer First Report Data Sheet within 24 hours of the injury.

D. Supervisors will inform faculty and staff members of the procedures for reporting on the job injuries and for seeking treatment of these injuries.

E. Supervisors will provide for wide distribution of the Notice to Employees/Approved Panel of Physicians for treating on the job injuries (Attachment 4).

F. Supervisors will inform the Risk Management/Payroll Technician on the third consecutive day of an employee’s absence caused by an on-the-job injury.

G. Supervisors will inform the Chief Human Resources Officer on the third consecutive day of an employee’s absence caused by an on-the-job injury.

III. The Chief Financial Officer will:

A. Process all workers’ compensation claims. Claims shall be processed in accordance with the procedures in Attachment 5.

B. The Chief Financial Officer will recommend, when appropriate, the physicians to be included in Attachment 4.

IV. The Chief Human Resources Officer will:

A. Upon notification of an employee’s absence for injury, monitor the progress of treatment of any injured employee who is absent from work more than three consecutive workdays as a consequence of the injury.
B. Coordinate obtaining necessary replacement teachers/staff members with the appropriate principal or director.

C. Review written statements of treating physicians and, as appropriate, approve the return to work of the recovered employee.

D. Provide to each new employee a copy of Attachment 6, Approved Panel of Physicians.

V. The Director of Maintenance and Facilities Support will include in the annual inspection list for each School Division building, a specific component for latent safety hazards in the building.

VI. The Coordinator of Professional Development will include occupational safety topics in the School Division’s annual staff development plans.

VII. School Board Employees

A. Any employee injured on the job must report the injury immediately to his/her supervisor, foreman, principal, etc.

B. According to Section 65.2-603 of the Workers’ Compensation Act of Virginia, an injured employee must select his/her treating physician from a list of at least three (3) physicians chosen by the School Board.

C. In emergencies, injured employees will be taken from the work site to a hospital emergency room. In other cases, emergency room care is not authorized for the first health care visit.

D. The injured employee will sign the Employer First Report Data Sheet upon reporting an injury to the principal or supervisor.

E. If the employee receives medical care for the injury, the employee will have the care provider complete the Medical Authorization Form. The employee will return the completed Medical Authorization Form as soon as possible to their principal or supervisor.

F. If an employee seeks medical attention due to a work related injury, the employee should take a copy of the Panel of Physician/Employee Statement (Attachment 2) signed by their supervisor to the physician chosen from the panel of physicians.

G. All employees are covered under Workers’ Compensation if their injury or occupational disease fulfills the requirements of a compensable injury or occupational disease under the Virginia Workers’ Compensation Law.

If the injury or illness does not fulfill the requirements of a compensable injury or occupational disease under the Virginia Workers’ Compensation Law the employee becomes responsible for the medical bills incurred and can file with their health insurance.
H. Procedures for paying approved claims:

1. Medical expenses
All medical expenses for workers’ compensation claims must be submitted by the injured employee to the Risk Management/Payroll Technician as soon as possible. Documentation should include such items as receipts or invoices. Approved medical expenses will be paid directly to the medical service provider.

2. Lost wages
The following procedures apply to an employee who is unable to work because of an injury compensable under Workers’ compensation.

   a. Waiting Period—An employee is not entitled to compensation for the first 7 days (including weekends and need not be consecutive) of incapacity resulting from a work-related injury. Compensation begins on the 8th days of disability. The employee may choose to use accrued sick, personal leave, or annual leave time, if available, for a minimum of five days during this period.

   b. Disability in excess of 21 days—If an employee is disabled for more than 21 days (need not be consecutive and including weekends), the employee receives compensation for the seven-day waiting period. However, because 21 days must lapse before this is known, the employee may have already chosen to use accrued sick or annual leave for the first five days. If this is the case, the employee will be required to return to the School Division the workers’ compensation payment for the number of days leave was taken. This prevents double compensation for the first five days of lost time. The sick leave will be credited back to the employee’s accrued sick leave when the School Board is reimbursed.

ISSUED: November 1, 1995

Approved:

Eric Williams, Ed.D.
Division Superintendent
REIMBURSEMENT FOR PROPERTY LOSS OR DAMAGE

An employee requesting reimbursement for personal property loss or damage in accordance with School Board Policy File DZB must complete the attached Exhibit A form. This form must be completed and returned to the Chief Financial Officer within 10 business days from the date of loss.

ADOPTED:        June 20, 1988
REISSUED:       April 29, 1996; June 1, 2006; December 15, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
SECTION E
CRISIS MANAGEMENT PLAN

I. Definitions

A. “Crisis incidents” shall include but not be limited to situations involving the death of a student, staff member, or a member of a student’s immediate family by suicide, illness, or accident. The school principal shall have the authority to determine what is a crisis incident and when to convene the Crisis Management Team.

B. “Critical incidents” shall include situations involving threats of harm to students, personnel, or facilities. Critical incidents include but are not limited to natural disasters, fire, use of weapons/explosives, and the taking of hostages. Such incidents require an interagency response involving law enforcement and/or emergency services agencies.

C. The individual school “Crisis Management Plan” shall be a written plan with explicit intent to protect and sustain life, reduce emotional trauma, assist in emotional recovery from trauma, minimize personal injury and/or damage to the facility.

II. Purpose

This Superintendent’s Regulation provides a framework for organizing other Superintendent Regulations establishing procedures and response plans for dealing with emergencies in a school or on school campus. This collection of Superintendent Regulations is titled the York County School Division Crisis Management Plan (YCSD Plan).

This Plan forms the basis on which a school principal prepares an individual school’s crisis management plan, tailored to the features and needs of the school. The school’s crisis management plan serves as a ready reference for the principal, faculty and staff in responding to a range of emergencies which could arise in a school or on a school campus. In preparing a school’s crisis management plan the principal will include, to the extent deemed appropriate, the information and procedures contained the Virginia Department of Education’s RESOURCE GUIDE for Crisis Management in Schools (RESOURCE GUIDE). Whenever a conflict arises between the contents of this Plan and the RESOURCE GUIDE, the contents of this Plan have priority.

This Plan also implements arrangements with the York County Sheriff’s Department and the York County Fire and Rescue Department for dealing with emergencies in York County schools.

III. Plan Content

Attachment A to this Regulation lists the contents of the YCSD Plan. A copy of this Regulation is contained as the Forward for each school’s crisis management plan.

Attachment B to this Regulation is standard roster for a school’s Crisis Management Team (CMT). The principal will update the roster prior to the start of classes in September. Generally, the organization of each school’s crisis management plan will conform to the format found in the
RESOURCE GUIDE, except in each case, communications with the press and community at large during a crisis will be channeled through the YCSD Communications Coordinator.

IV. Crisis Management Team Organization

A. Function
A school’s CMT supports the principal in preparing standard responses to emergencies which could arise in a school or on a school campus. The planned responses will be organized in checklist format, following the general outline of Quick Guides found in Chapter VII, Quick Guide to Crisis Management, in the RESOURCE GUIDE. Further, during an emergency, the CMT, in carrying out assigned duties and functions, assists the principal in managing the emergency. However, the responsibility for decisions in managing an emergency remains with the principal.

B. Composition
The principal will inventory faculty and staff skills relevant to crisis management planning. A sample inventory form is available in the RESOURCE GUIDE. The principal will assign trained personnel who are sensitive to the needs of faculty, students, and community under severe stress. School counselors, school psychologists, clinic personnel, teachers and clerical support staff are all eligible for assignment to the Team. The principal will make assignments to the school's CMT no later than August 1 of each year. The principal will introduce the Team to faculty and staff before the start of classes in September.

C. Training
The principal will use, to the extent deemed appropriate, the materials found in Chapter VI, Training and Maintenance, RESOURCE GUIDE, in CMT training. Further, the principal will formulate training plans which reflect the fact that additional staff resources in a crisis situation will be available from the School Board Office staff as requested. The teachers and other staff members assigned to the Team will determine the appropriate training schedule during the course of the year. As a minimum, the training must acquaint the Team members with the contents of the individual response and action plans listed in Attachment A to this Superintendent’s Regulation.

D. Team Organization and Duties
Extensive resource materials for preparing the school’s crisis management plan are available in Chapter IV, Crisis Management Plan – Preparation, of the RESOURCE GUIDE. As a minimum, the principal will include the following in the school’s plan.

1. Assign a team member to establish a "telephone tree" for use with the staff and faculty members in order to communicate information as rapidly as possible.

2. Designate a Team member to serve as communicator with outsiders in the event of crisis.

3. Have the Team communicator prepare a detailed communications check off list to include, as a minimum, the following:
a. 9-911 (if physical danger present)
b. Initial School Board Office contact—Chief Operations Officer/Director of School Administration
c. Notification of Coordinator of Community and Public Relations
d. Measures to handle parent telephone calls
e. Measures to identify and counter rumors related to a crisis
f. Measures to contact students and faculty absent during the crisis

4. Designate rooms within the school to use for crisis related activities and distribute a list of room assignments to each Team member. Activities should include as a minimum:

   a. Emergency faculty meetings
   b. Student and faculty counseling during and after the crisis
   c. Faculty debriefing after a crisis

5. Assign Team members to prepare a Crisis Resource Kit.

6. During site based professional development in August, have Team members present to faculty and staff methods to develop a plan for their families at home when school personnel are called to an emergency at school. Knowledge that families know what to do at home will enable faculty members to focus attention on students in school during a crisis.

7. Arrange a meeting of the Team with the Associate Director of Transportation and Warehouse Services to identify potential difficulties with traffic flow for exiting or entering school area in case of varied emergencies and develop measures to deal with likely traffic problems.

8. Identify routes for emergency evacuation of students from the school building and plan procedures for this evacuation.

9. Measures for debriefing faculty and staff involved in a crisis will be a matter of discretion of the principal. Similarly, plans for postvention will be a matter left to the judgment of the principal. However, the school’s crisis management plan will include measures to ensure a decision on these matters is not overlooked in the press of business following a crisis.

V. Crisis Management Kit

The Team will locate a Crisis Management Kit in the school so as to be available to the Team for use in an emergency. The Crisis Management Kit will be contained in a box, packet, or other suitable container. Detailed guidance on preparing a Crisis Management Kit is available in Chapter IV, Developing the School Crisis Management Plan, RESOURCE GUIDE. As a minimum the Kit will contain the following:
1. Faculty, school board office telephone tree with home and work phone numbers; phone numbers for faculty and administrators' spouses or others to call in case of school emergency.

2. List of:
   a. Students enrolled in the school with addresses, phone numbers, and parents' work phone numbers.
   b. Student bus route numbers and bus route numbers listing all students on that route.
   c. Lists of all persons approved to pick up any student during or after school.
   d. Telephone numbers of community services, including:
      1) Fire Department (9-911)
      2) Sheriff's Department (9-911)
      3) Hazardous Waste Materials Department
      4) Transportation Department
      5) Colonial Mental Health Center
      6) Others suited to the individual school
   e. List of staff and faculty assignments in dealing with the crisis and the location where those assignments will be fulfilled.
   f. List of staff and students who need special assistance in evacuation.

3. Current Master Schedule and location of each student each period while on campus.

4. A school map with location of school phones, designated meeting rooms, and architectural drawings of building; clear directions for intercom use so outsiders can use it.

5. Crisis Team Worksheets as specified by the CMT.

6. Two master keys to all doors in the school building.

7. First Aid Kit, flashlights, paper and pencils; bullhorn with charged batteries.

8. Identification tags for Crisis Team members.

VI. Hot Line for Anonymous Reports of Suspicious Activity

The School Division will provide a telephone number for a voice mailbox in which callers can leave reports of what they consider to be suspicious activity of York County students. The telephone number will be featured prominently in the Student Handbook each year. The Director of School Administration will manage information received on the hotline and take appropriate action to ensure information received is processed in a manner which promotes the safety and welfare of York County School Division students and School Board employees.
VII. Evaluation of the Crisis Plan

Response to each crisis event will be reviewed and evaluated at the conclusion of each event. In addition, the Crisis Management Team will evaluate annually the plan and its effectiveness and make modifications in accordance with school board policy, as needed.

ISSUED: May 6, 1999
REISSUED: January 31, 2001; July 1, 2002; February 18, 2003
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
ADDENDUM to EB

THREAT WARNING SYSTEM

This addendum is for general information. Specific guidance will come from the Superintendent for announced threat levels.

I. LOW THREAT/GREEN LEVEL/LOW RISK DIVISION ACTION:

1. Review emergency operations plans
2. Conduct training, seminars, workshops, and exercises using the Emergency Operations plans
3. Provide emergency preparedness information to employees via newsletters
4. Conduct routine inventories of emergency supplies and medical aid kits
5. Budget for physical security measures
6. Encourage programs for employee immunization and preventive health care

II. GUARDED THREAT/BLUE LEVEL/GENERAL RISK DIVISION ACTION (Continue all precautions from Lower Threat conditions)

1. Review communications plans to be sure that all phone procedures are current and accurate
2. Conduct emergency management training and exercise emergency response plans
3. Remind employees to be alert for suspicious packages, activities, vehicles, and to report these occurrences to the proper authority
4. Secure buildings, unused rooms, storage areas, equipment and vehicles to prevent theft, tampering, or destruction
5. Evaluate information available on public web sites that could compromise security
6. Encourage all employees to have necessary immunizations

III. ELEVATED THREAT/YELLOW LEVEL/ELEVATED RISK DIVISION ACTION (Continue all precautions from Lower Threat conditions)

1. Announce Threat Condition ELEVATED to employees
2. Review physical security plans for facilities
3. Ensure all buildings are secured to prevent theft or tampering
4. Conduct physical inspection of buildings for suspicious unattended packages

5. Develop a cadre of trained volunteers

6. Closely monitor current news events and state and federal terrorist advisories

7. In coordination with local law enforcement, keep employees informed on current threat conditions and advisories

8. Conduct tabletop and functional exercises to ensure that response plans are understood and current

9. Review existing physical security measures employed and install intrusion detection and passive systems as funding permits

IV. HIGH THREAT/ORANGE LEVEL/HIGH RISK DIVISION ACTION (Continue all precautions from Lower Threat conditions)

1. Announce Threat Condition High in coordination with law enforcement to employees and explain expected actions to be taken

2. Restrict or control access to buildings

3. Erect outside barricades to deny access to building entrances

4. Review local emergency response plans and the Virginia Emergency Operations Plan

5. Require identification, sign in, and escorts as required

6. Escort visitors to fire -rescue stations and other facilities

7. Restrict parking areas located close to buildings

8. Remove trash containers and dumpsters located near buildings

9. Closely monitor security and intelligence data from state and local law enforcement agencies

10. Instruct employees to be especially watchful for suspicious packages and articles received through the mail service

11. Inspect buildings and parking areas for suspicious packages

12. Implement rumor control to avoid public panic

13. Test communications plans

14. Secure and regularly inspect all buildings, vehicles, parking, and storage areas for intrusion

15. Conduct 100% verification of deliveries and restrict shipments
V. SEVERE THREAT/RED LEVEL/IMMINENT RISK DIVISION ACTION (Continue all precautions from Lower Threat conditions)

1. Announce Threat Condition SEVERE to employees and explain anticipated actions that should be taken
2. Continue 100% inspections of personnel, vehicles, and packages
3. Implement Mutual Aid Agreements as required
4. Take appropriate action to protect facilities by deploying armed security to them
5. Cancel or delay unnecessary employee travel and leave
6. Control release of information to the public and news media

ISSUED: February 18, 2003
REISSUED: June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
SAFETY MANAGEMENT PROGRAM

I. Purpose:
The purpose of the School Division's Safety Management Program (SMP) is defined as follows:

To provide the safest possible work place for its employees and to minimize the cost of its workers’ compensation losses, including time and productivity losses. To establish a Safety Management Committee responsible for establishing programs necessary to minimize the number and severity of employment related injuries and for reviewing employee requests for medically related accommodations. To ensure, through the direction of the Safety Management Committee, that each member of the School Division’s management team will maintain a commitment to and adhere to certain standards of loss control.

II. Procedure:
A. Safety Management Committee Established. A core nine-member committee consisting of a chair and eight other members, as outlined below, is responsible to the Superintendent and School Board for implementing and managing the Safety Management Program (SMP). Additional staff can augment the core committee as circumstances require.

1. Chair: Chief Operations Officer shall serve as the Chair of the Safety Management Committee.

2. Members: The following members shall be appointed to the Safety Management Committee.

<table>
<thead>
<tr>
<th>Department</th>
<th>Safety Committee Member</th>
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<tbody>
<tr>
<td>Education</td>
<td>Director of School Administration</td>
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<tr>
<td>Maintenance</td>
<td>Associate Director of Maintenance and Facilities Support</td>
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<tr>
<td>Building Maintenance</td>
<td>Manager of Building Maintenance</td>
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<tr>
<td>Custodial</td>
<td>Manager of Custodial Services</td>
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<tr>
<td>Transportation</td>
<td>Associate Director of Transportation and Warehouse Operations</td>
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<td>Safety</td>
<td>Occupational Safety and Regulatory Compliance Specialist</td>
</tr>
<tr>
<td>YEA</td>
<td>President, York Education Association</td>
</tr>
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</table>

B. Responsibilities of the Safety Management Committee.
1. To promote safety awareness and to provide opportunities for additional safety training.

2. To review Vehicle Accident Reports and recommend additional training where necessary.

3. To review employee accident/illness reports as determined by Occupational Safety and Regulatory Compliance and monitor workers’ compensation losses.

4. To review employee requests for medically related accommodations.

5. The Safety Management Committee Chair will report the activities of the Safety Management Program to the Superintendent at least quarterly at a regular staff meeting. This report shall include information on the progress of the Committee, the status of losses, and proposals or discussion by senior management staff.

6. Appointees will attend all scheduled meetings and shall not designate an alternate to attend a meeting except when absolutely necessary.

C. Responsibilities of Department Directors for the Safety Management Program.
Conduct the safety and health programs in assigned areas of responsibility. Specifically they;

1. implement all necessary departmental loss prevention programs;

2. provide the necessary accident controls that foster a safe and healthful working environment;

3. maintain departmental records as required or needed;

4. support the Committee by appointing interested and productive members to the committee, and ensuring attendance at all called meetings and completion; of assigned duties and tasks; i.e., promote departmental safety and employee involvement in the SMP;

5. serve when required, as a member or chairman of the Safety Management Committee.

D. Responsibilities of First Line Supervisors for the Safety Management Program.
The first line supervisor is essential to the success of the overall (SMP) and must be actively involved in loss control activities. Specifically, the supervisor shall:

1. conduct accident investigations and implement recommended procedures to prevent recurrence;
2. provide training with assistance from Occupational Safety and Regulatory Compliance in accident prevention and hazard recognition to all assigned employees;

3. establish and enforce all safety rules and procedures appropriate to the assigned work site, and support and convey all safety policies to all employees.

Issued: September 29, 1997

Reissued: July 1, 2002; March 11, 2004

Revised: June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
RESPONSE TO FIRE EMERGENCY IN SCHOOL BUILDING

I. FIRE
In the event a fire is detected within the school building, proceed according to the following plan.

A. Sound the ALARM by using the nearest alarm station or the designated bell system. (During the fire or any emergency requiring evacuation, follow the same steps as the fire drill procedure published in each teacher’s handbook.)

B. Be sure the building is evacuated with occupants assembled at least 300 feet from the building and out of the way of the fire department’s operational area.

C. Render first aid as necessary.

D. From a safe area, Notify York County Emergency Communications Center (911 Center) for emergency response—9-911 (CENTREX) or 911 on cellular or pay telephone.

E. Close doors and windows but do not delay evacuation or attempt to do so if it will jeopardize personal safety.

F. In the event of fire during early stages, trained staff may attempt to extinguish fire provided the action will not jeopardize personal safety or extend the fire.

G. Keep access roads open for emergency vehicles.

H. Upon completion of evacuation, take roll call.

I. Notify school principal.

J. Notify Chief Operations Officer, 898-0466, and Director of School Administration, 833-2182.

K. Students and staff should not return to the school building until Fire and Rescue personnel authorize to do so.

L. In the event of a fire near the school, notify the York County Emergency Communications Center at 9-911. The principal or person in charge shall determine which of the foregoing actions, if any, are required.
II. FIRE/SMOKE HEAT DETECTOR ALARM

A. Pull Station Alarms
Emergency pull stations within the school are designed to initiate warnings to school occupants and are also connected to the automatic alarm system that contacts the York County Emergency Communications Center (911 Center).

B. Smoke and Heat Detector Alarms
These devices automatically monitor smoke and heat conditions and when activated send a signal to the school’s fire alarm panel. This panel transmits the alarm over audible devices in the school and automatically contacts the York County Emergency Communications Center (911 Center).

C. Action Following Alarm

1. Evacuate building and assemble occupants at least 300 feet from the building and out of the way of the fire department’s operational area.
2. Upon completion of evacuation, take roll call.
3. Close doors and windows but do not delay evacuation or attempt to do so if it will jeopardize personal safety.
4. An assistant principal/custodian should attempt to identify the location from which the alarm was transmitted to determine nature of alarm.
5. Contact York County Emergency Communications Center (911 Center) from a safe area to advise of nature of alarm, if determined.
6. In the event of fire during early stages, trained staff may attempt to extinguish fire provided the action will not jeopardize personal safety or extend the fire.
7. Keep access roads open for emergency vehicles.
8. If a problem is discovered, contact the Chief Operations Officer (898-0466). Do not re-enter the school until Fire and Rescue personnel have authorized to do so.
9. If the alarm is verified to be false, the York County Emergency Communications Center (911 Center) shall be notified. Do not reset the alarm. This will be done by the Fire and Rescue Service.

Issued: May 31, 1995

Revised: TBD

Approved:

Eric Williams, Ed.D.
Division Superintendent
MEDICAL EMERGENCY RESPONSE PLAN

This plan provides procedures for medical emergencies of students and school personnel that occur during regular school hours on school property or during school-sponsored extracurricular activities/athletic events on or off campus.

DEFINITIONS:

1. True Medical Emergencies are conditions which may cause death or serious disability if treatment is not initiated within the first few minutes.
2. Serious injuries or conditions are those that, while not immediately life-threatening, require prompt professional medical attention.
3. Minor injuries are those requiring standard first aid, but do not require professional medical attention. Examples include:
   a. abrasions
   b. superficial lacerations
   c. minor sprains
   d. contusions/bruises

RATIONALE:

1. Illnesses and accidental injuries may occur in school involving students, school personnel and visitors.
2. Students/school personnel with chronic health problems or certain disabilities are at greater risk for injury, illness or medical emergency.
3. Timely and appropriate response to medical emergencies can save lives and minimize disability.
4. Accidents should be carefully documented to preclude misinformation and to provide an accurate recording of events preceding the incident and the subsequent administration of first aid. Analysis of data may yield: areas identified as high risk for causative factors; preventive measures; need for in-service for building administrators/clinic personnel in injury assessment and intervention.

A. GENERAL GUIDELINES

1. The building administrator/designee is responsible for periodically monitoring the school environment for safety hazards and for auditing accident and injury reports to identify areas of high risk in and around the school building.
2. Health educators/clinic personnel shall supplement the curriculum with classroom health lessons and individual health counseling as necessary, based on information derived from environmental monitoring and/or review of accident/incident reports.
3. Each school shall have adequate health service facilities, supplies and trained personnel to handle accidents, injuries and/or sudden illnesses.

4. The most recent edition of the flip chart "First Aid Guide for School Emergencies" (distributed by the Virginia Department of Health, Division of Material and Child Health) should be readily available in the clinic of each school. This guide contains a comprehensive listing of first aid measures.

5. An annual update card for all students shall be maintained in the clinic. This card shall contain emergency telephone numbers of parents as well as alternate emergency telephone numbers in the event parents cannot be reached. A similar card system for school personnel should be maintained with emergency contact numbers and any pertinent medical information voluntarily disclosed by school personnel.

6. All extracurricular, non-curricular sponsors and athletic coaches will maintain and keep a current health form on participating students (See Attachment F or VHSL Physical Form). This form must be present at all activities.

7. At least two full-time school building staff members must have successfully completed courses in CPR, Heimlich Maneuver, and basic first aid.

8. The building administrator, teacher or other staff member to whom a student is responsible at the time an accident/incident occurs should complete and file a written report.

9. School personnel sustaining work-related injuries shall follow the appropriate guidelines for Worker's Compensation Insurance.

10. Parents/guardians of students shall be notified of all emergencies/injuries as quickly as possible.

11. All animal bites shall be reported to the proper authorities after emergency care is given.

B. EMERGENCY PROCEDURES FOR LIFE-THREATENING/SERIOUS ACCIDENTS/INCIDENTS

1. If possible, an adult shall stay at the scene while help is being summoned.

2. Severely injured/ill persons should not be moved unless absolutely necessary.

3. In true medical emergencies or serious injuries/conditions, 911 will be called using the Emergency Phone Procedure (See Attachment B). This phone procedure should be posted next to all school phones to prevent confusion/mistakes in an emergency.

4. Notify the building administrator/designee and the clinic personnel.

5. Injury/health condition will be assessed by clinic personnel. In situations occurring off of school grounds or where clinic personnel are not available, the building administrator or designee will assess the situation using the Red Cross Emergency Action Steps (See Attachment A).

6. First Aid will be rendered by clinic personnel/designee adhering to the OSHA Guidelines/Universal Precautions.

7. Building administrator/designee or clinic personnel shall notify parent and agree on course of action. (If parent cannot be reached, notify emergency contact person).

8. A responsible adult will stay with the student until the parent/designee or Fire and Rescue Medical Emergency Rescue Services arrives to take charge.
9. A written accident/incident report (Attachment C) will be completed by appropriate personnel. This form will include the following:
   a. Student's name
   b. Date, time and location of accident/incident
   c. List of any/all equipment involved, if any
   d. Names of adult witnesses and persons in charge during the time of the accident/incident
   e. Description of the accident/incident
   f. Description of the injury (not a diagnosis)
   g. Description of action that was taken and care that was provided
   h. Time and method used to notify parents or other designated parties
   i. Disposition of student (family physician, home, hospital, etc.)

10. Copies of the accident/incident report shall be distributed to:
    a. Chief Operations Officer
    b. Building Administrator/Clinic Personnel
    c. Director of School Administration

C. EMERGENCY PROCEDURES FOR STUDENTS WITH CHRONIC HEALTH PROBLEMS OR IDENTIFIED DISABILITY:

1. Students with special health needs will have an Individual Health Care Plan (IHCP) (Attachment D) written by the school nurse in collaboration with the building administrator, clinic assistants, family, teacher and health care provider. IHCP will include a description of the health condition and the possible effects on the student while attending school. (See components of an Individual Health Care Plan, Attachment D & Medical Orders for Specialized Health Care Procedures, Attachment G).

2. The IHCP identifies personnel in school to be trained in child-specific procedures and problem management. The plan should include situations that could arise while the student is on the bus, field trips, during fire drills and in the event of a disaster.

3. The IHCP will address potential environmental concerns, for example: extermination of insects to safeguard severely allergic students from possible insect bites and stings; emergency power supply for life sustaining equipment; procedure to follow for O₂ dependent students during fire/fire drill, etc.

4. After development of the IHCP, an Emergency Action Plan (EAP) (Attachment E) will be written by the school nurse.

5. The EAP, written by the school nurse, will provide precise, student-specific instructions/physician's orders for specific treatments in certain defined emergency circumstances. The EAP is used to achieve standardization of care to select students with diagnosed conditions.

6. Planning process of the EAP for a student with a potentially life-threatening condition should involve the York County Fire and Rescue Service.
a. School should provide the York County Fire and Rescue Service with a map of the school showing access routes, doorways, location of classrooms and other areas.

7. The EAP will be shared with appropriate building/transportation personnel on a need to know basis.

8. The IHCP and EAP will be reviewed annually and/or upon demand.

9. General staff training should be done to give overview of the student’s condition and health care needs including the emergency plan and procedures. This should be done in collaboration with parents and the student’s health care provider. Personnel who should attend might include: teachers, classroom/playground assistants, building administrator, student services staff, York County Fire and Rescue Service, bus driver, and cafeteria worker.

10. If appropriate, classroom instruction should be provided so that:
   a. Students learn what is expected of them if someone has a medical emergency in classroom/playground.
   b. Students know how to report a problem and what to do if teacher is occupied with emergency.

11. The Emergency Medical Plan should be rehearsed. Practice drills can reveal significant gaps in the plan. The school administrator should review the procedures and responsibilities with all personnel on a regular basis.

ISSUED: February 21, 1995

REISSUED: March 3, 2005; June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PANDEMIC FLU RESPONSE PLAN

I. PURPOSE

In the event of an influenza pandemic, operations of the York County School Division will be materially changed. Delivery of instruction to students will need to flow in unconventional channels because the schools will be closed pursuant to orders of public health officials. This Superintendent's Regulation lays out the procedures that YCSD staff will follow to prepare for this eventuality.

II. BACKGROUND

A. National public health authorities conclude the probability of an influenza pandemic has increased markedly in recent years. A pandemic is a global disease outbreak. An influenza pandemic occurs when a new influenza virus emerges for which there is little or no immunity in the human population, begins to cause serious illness and then spreads easily person-to-person worldwide.

B. Historically, the 20th century saw three pandemics of influenza:

- The 1918 influenza pandemic caused at least 500,000 U.S. deaths and up to 50 million deaths worldwide
- The 1957 influenza pandemic caused at least 70,000 U.S. deaths and 1-2 million deaths worldwide
- The 1968 influenza pandemic caused about 34,000 U.S. deaths and 700,000 deaths worldwide

C. Public Health authorities have identified the following as the characteristics and challenges in a pandemic:

1. There Will Be Rapid Worldwide Spread

   - When a pandemic influenza virus emerges, its global spread is considered inevitable.
   - Preparedness activities should assume that the entire world population would be susceptible. Countries might, through measures such as border closures and travel restrictions, delay arrival of the virus, but cannot stop it.

2. Health Care Systems Will Be Overloaded

   - Most people have little or no immunity to a pandemic virus. Infection and illness rates soar. A substantial percentage of the world's population will require some form of medical care. Nations unlikely to have the staff, facilities, equipment and hospital beds needed to cope with large numbers of people who suddenly fall ill.
• Death rates are high, largely determined by four factors: the number of people who become infected, the virulence of the virus, the underlying characteristics and vulnerability of affected populations and the effectiveness of preventive measures.
• Past pandemics have spread globally in two and sometimes three waves.

3. Medical Supplies Will Be Inadequate

• The need for vaccine is likely to outstrip supply.
• The need for antiviral drugs is also likely to be inadequate early in a pandemic.
• A pandemic can create a shortage of hospital beds, ventilators and other supplies. Surge capacity at non-traditional sites such as schools may be created to cope with demand
• Difficult decisions will need to be made regarding who gets antiviral drugs and vaccines.

4. There Will Be Economic and Social Disruption

Travel bans, closings of schools and businesses and cancellations of events could have major impact on communities and citizens. Care for sick family members and fear of exposure can result in significant worker absenteeism.

III. ACTION

A. Overview

The action required by this Response Plan falls into three categories:

• Preparation
• Response to outbreak of pandemic in Virginia
• Resumption of normal operations

Because a pandemic is a medical crisis and because public health officials are tasked with coordinating the public response to such a crisis, initiation of action under any of the categories listed above will be dependent on advice received from the Director of the Peninsula Health District or other official designated by the Governor of Virginia.

The goal in each phase of the plan will be to provide continuity in the delivery of instruction and to provide support to other public agencies directly charged with responding to a pandemic crisis.

1. Preparation

   a. The Chief Operations Officer (COO) and the Director of School Administration will coordinate activity to ensure faculty and staff are kept current on the provisions of this pandemic response plan.
b. The COO will ensure the current edition of the plan is posted on Sid.

c. The COO and the Director of School Administration (DSA) will work with local health officials and emergency preparedness officials and update this plan accordingly as those officials develop regional plans for a flu pandemic.

d. For planning of communications with the public, the Coordinator of Community and Public Relations (CCPR) will work with regional officials to prepare the action to be taken in YCSD to implement the regional communications plan. Emphasis will be placed on electronic communications channels in dealing with members of the York County School Division (YCSD) community.

e. Staff development needed to implement regional plans in YCSD will be managed by Chief Human Resources Officer. This training will include:

   • clinic staff on topics identified by the appropriate public health officials;
   • clinic staff's completing and filing of regional health monitoring reports;
   • general staff development on preventing the spread of flu and training on flu symptom recognition;
   • information to increase awareness that a person who is infected does not show symptoms right away; but children who are getting ill may show different behavior than usual, such as eating less or being irritable;
   • personal hygiene techniques appropriate for minimizing the potential spread of the flu.
   • Emphasis will be placed on the use simple non-medical ways to reduce the spread of flu by using "cough and sneeze etiquette," frequent hands washing, the use of hand sanitizers and clean desk and work areas.

f. The Chief Academic Officer (CAO) shall manage the instruction of students on methods important to prevent the spread of flu. The CAO shall coordinate appropriate lesson plans for use in the class rooms to improve the hygiene of students. Emphasis will be placed on the use simple non-medical ways to reduce the spread of flu by using "cough and sneeze etiquette," frequent hand washing, and clean desk and work areas.

g. The DSA shall coordinate clinic staff focus on flu-symptom recognition and on filing regional health monitoring reports when so directed by the appropriate public health official. The Associate Director of School Administration will coordinate implementation of standard surveillance/disease recognition procedures in all classrooms, work areas and offices throughout YCSD.
h. The Associate Director of Maintenance and Facilities Support will determine whether the cleaning protocols for schools should be changed when advised by the COO in the context of confirmed avian flu outbreaks.

i. The COO, the DSA and the CAO will develop recommended guidelines to be used to encourage or require children and staff to stay home when they are mildly ill, in the context of confirmed avian flu outbreaks.

j. The Associate Director of School Administration will provide guidance to schools on identifying students who are most vulnerable to serious illness (immune compromised, chronic illness, etc.) and work with Information Services to ensure appropriate data collection for such students. This data must be available in the ASPEN student information management system.

k. School clinic staff and school administrators will review the health needs of students in each school and identify those students who may have a greater risk of infections. The CCPR will prepare a standard text for use by administrators to encourage those families to talk to their health care provider. Administrators will send home the letter to alert these parents that they may need to be more cautious in keeping their children out of school in the context of a confirmed avian flu outbreak.

l. The CAO will develop alternative learning strategies by which the program of instruction can be delivered to students via the internet, telephone and Channel 47. Such channels of communication would become the primary channels of instruction should the Director of the Peninsula Health District direct the closure of public schools in YCSD in an avian flu outbreak.

m. The DSA and CCPR will develop a communications plan to inform staff, students and parents about: the differences between seasonal flu, bird flu and pandemic flu; best hygienic practices to prevent any sort of flu; what could occur in a pandemic. Such plan will be implemented when media reports an officially confirmed human to human transmission of avian flu anywhere in the world.

2. Outbreak of Flu in Virginia

This phase of the response plan begins when the Director of the Peninsula Health District notifies YCSD staff that confirmed cases of avian flu are being treated in Virginia.

a. School administrators and clinic staff will begin Heightened Surveillance Reporting to designated public health officials.
b. The Division Superintendent or designee shall inform all parents telephonically of
the information received from the public health official and apprise parents of the
intended course of action in YCSD.

c. If directed, the CCPR will prepare for the Division Superintendent's signature a
follow up letter informing parents that some students are sick but schools remain
open. This letter shall include tip sheets and information resource list as
appropriate.

d. The CCPR will coordinate with Peninsula Public Health Services regarding a
press release announcing plans for schools to remain open and providing
parents information on the contingency of closing schools.

e. Staff shall post flu prevention signs in schools and on campus upon receipt from
public health officials.

f. YCSD staff shall coordinate responses to an expanding public health crisis with
the Director of the Peninsula Health District. YCSD staff will operate in concert
with public health authorities.

g. The COO, DSA and CCPR will prepare briefings for employees in anticipation of
schools being closed by public health officials. These briefings will include
planned activities to be conducted in YCSD should schools be closed for public
health reasons. The briefings shall also include means to provide employees with
updates of YCSD activities and plans for pay or non-pay status of employees
while schools are closed.

h. The Chief Financial Officer (CFO) will coordinate payroll activities for employees
who continue to work while schools are closed.

i. The COO, DSA and CAO will prepare plans for reopening schools should the
contingency of school shutdown materialize.

j. The COO, if so requested by public health officials, will commence planning for
use of school buildings by public health officials while schools are closed to
students.

k. The Division Superintendent or designee shall provide to parents periodic
telephonic updates on planned action in the YCSD as the pandemic passes
through the area. These messages shall also include flu prevention tips and
related health information when appropriate.

l. The CCPR will prepare appropriate updates to be posted on the YCSD web site
and cablecast on Channel 47 as the pandemic passes through the area.
m. In the event the Director of the Peninsula Health District directs schools to close, the Superintendent shall inform parents of the decision by telephonic means. Concurrently, information will be posted on the YCSD web site, each school's web site and on Channel 47.

n. With the closure of schools by the Peninsula Public Health Officer, the COO, CAO and DSA will implement the contingency plans prepared previously.

o. While schools are closed at the direction of the Peninsula Public Health Official, no school related activities will be authorized for School Board employees and YCSD students.

3. Resumption of Normal Operations

a. The Director of the Peninsula Health District will decide when classes may be resumed with minimal threat to public health.

b. Upon notification that classes may resume, the Superintendent shall direct the COO, CFO and CAO to commence the restart plans prepared prior to the closure of schools for public health reasons.

c. The COO will ascertain the availability of bus drivers, custodians and food service staff. Each school principal will report to the Director of School Administration on the availability of their faculty. All cabinet officers will report the availability of their immediate staffs to the Superintendent.

d. Upon ascertaining that sufficient resources are available to resume classes in schools, the Superintendent shall inform parents telephonically of the time and date that schools will reopen. The School Board may authorize a complete reopening of YCSD or only a reopening of some schools as permitted by conditions at the time.

e. Upon reopening of schools, monitoring reports shall be filed by each school as directed by public health officials at the time.

ISSUED: September 8, 2006

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
HURRICANE, TORNADO AND SEVERE WEATHER RESPONSE PLAN

I. Hurricanes

Because modern weather forecasting technology will permit closure of schools well in advance of a hurricane’s expected arrival, and because most staff and students will not be in School Division buildings upon a hurricane’s land fall, the primary emphasis in the School Division will be on the physical security of School Division buildings and on the support of emergency shelters established in specific school buildings. The School Division’s Occupational Safety-Regulatory Compliance Specialist will serve as liaison between York County Fire, Life and Safety Emergency Response Team and the School Division.

The support staff of the School Division will be organized to attend to building security and to support emergency shelters which may be established under the York County Emergency Response Plan. The Chief Operations Officer (COO) shall coordinate staff assignments through the Associate Director of Maintenance and Facilities. As requested by the County’s emergency management team, school buses will be made available for emergency evacuation of low lying areas in the County.

II. Tornadoes and Severe Wind Conditions

A. General

Tornadoes and severe wind conditions usually associated with fast moving weather fronts can produce emergency conditions during the course of a school day or during the time students are in transit between school and homes. The most rapid notification of the danger posed by tornadoes or severe wind conditions is the emergency broadcast system (EBS) which interrupts normal programming on TV and radio and the alert tones from a NOAA weather radio.

B. NOAA Weather Radio

1. The principal of each school will ensure the weather alert radio to be in the operating mode during the course of each school day. Each principal will establish internal procedures which ensure the radio is monitored continuously during times when severe weather has been forecasted for this region. If a weather alert tone is sounded, the person monitoring the weather radio will listen for the following information:

   • Is the alert a watch or warning?
   • What jurisdictions are listed in the watch/warning area?
   • What type of weather is forecast: thunderstorms, tornado, or hurricane?
   • What is the direction and speed of the storm?

This information will be immediately relayed to the principal or designee.
2. Operating Procedures identified in EXHIBIT ONE of this plan will be kept next to the radio in each school office.
3. The principal shall maintain the weather radio in good operating condition and regularly check the batteries. The School Division Maintenance Department will be notified of any apparent radio malfunction.

C. Procedures

1. **TORNADO WATCH**: This alert is issued when weather conditions are favorable to the formation of tornadoes.
   - **Classroom Activities**: Remain normal.
   - **Notification**: All teachers, especially those in portable classrooms.
   - **Outdoor Activities**: Suspended when thunder is heard.
   - **School Buses**: The Associate Director of Transportation and Warehouse Operations will monitor the weather and determine school bus operation based on time needed to complete transportation schedule and the expected arrival and potential hazard of the severe weather threat.
   - **Designate a staff member as a weather spotter.** This person should watch for dark rolling clouds, hail, rain and listen for loud roaring sounds like a train. If a funnel cloud is spotted, the weather spotter should alert over the PA system that students and staff need to take protective actions immediately “in place.” The weather spotter also should dial 9-911 to notify the County’s Department of Public Safety that a funnel cloud has been sighted and that the school is taking protective actions.
   - **Principals will train staff to take the following “in place” protective actions:** Drop to the floor and take a tornado safe position as described in EXHIBIT TWO; preferably under a desk; definitely away from windows, exterior walls and doors if possible.

2. **TORNADO WARNING**: This alert is issued when a funnel cloud has been sighted in Southeastern Virginia by either a sighting or identified on weather service radar.
   - **Classroom Activities**: Suspended. Remove students from portable classrooms and outdoor activities to their designated tornado safe areas in the school.
   - **Notification**: Announce over the PA system that all staff and students will report to their tornado safe area in the interior hallway nearest their location. Dial 9-911 to notify Public Safety that the school is taking protective actions. Everyone should be instructed to assume the tornado safe position in EXHIBIT TWO when danger is imminent.
   - **School Buses**: The Associate Director of Transportation and Warehouse Operations will determine bus schedules based on the potential weather hazard.
School bus drivers will take the following precautions if in route: NEVER ATTEMPT TO OUTRUN A TORNADO! If a bus driver has reason to believe a tornado is approaching, the following steps should be taken.

1) If you have the time to get to a well-constructed building into which you can unload students, then carefully do so as fast as possible. Move them into the interior or basement of the building away from windows and doors.

2) If no well-constructed building is available, highway underpasses can provide protection. Stop the bus just downwind from the underpass so that high winds do not blow it in your direction. Move the students up under the overpass structure. Have them get in position with their hands over the head. (See EXHIBIT TWO)

3) If no building or underpass is available, look for a ditch or low-lying area (preferably without water). Make sure the bus is parked downwind from the location you have selected. Unload the students to the low-lying area and have them get in position with the hands over their head. (See EXHIBIT TWO)

3. **SEVERE THUNDERSTORM WATCH:** This alert is issued when weather conditions are favorable for developing storms. Principals will designate a staff person to monitor the NOAA weather radio and the weather channel on TV if possible.

4. **SEVERE THUNDERSTORM WARNING:** This alert is issued when severe weather has been reported by spotters or indicated by weather radar. Principals will take the same actions as with a tornado watch if York County is identified in the warning area.

**III. Training**

Principals will instruct faculty, staff and student body in the Response Plan during the first month of each school year.

**ISSUED:** May 31, 1995

**REISSUED:** July 1, 2002; March 11, 2004

**REVISED:** June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
WEATHER RADIOS POLICY AND PROCEDURES

PURPOSE:

To establish an operational policy for the maintenance and use of weather radios.

GENERAL:

The weather radios are made available to the York County School Division through the Department of Public Safety, Division of Emergency Management. The weather radios will be most useful during periods of severe weather when the alert system can provide some advance warning of tornadoes and severe thunderstorms with damaging winds. Protective action plans for dealing with severe weather conditions will be coordinated with the Department of Public Safety.

PROCEDURES:

1. Radios will be maintained and replaced by the School Division. This includes batteries.

2. Radios will be kept in the alert lock position at all times while school is open.

3. An individual will be designated to check the radio at the end of each work week. Because the alert tone for weather watches and warnings activates automatically, the radios should be turned off over weekends and holidays and anytime the offices are otherwise closed for more than 24 hours.

4. The School Division will provide training on how to use the radio. The Division of Emergency Management will assist the School Division with training as requested by the School Division.

5. When the alert tone sounds, a responsible person will switch to the weather broadcast and listen very carefully to the report. The information will be immediately relayed to the Principal or Supervisor who will determine what protective actions, if any, should be taken.
TORNADO SAFE POSITION
RESPONSE PLAN FOR REPORT OF A MISSING CHILD

This plan provides procedures for responding to a report that a child who depends on the school bus for transportation is missing from school or has not returned home from school as expected.

I. CIRCUMSTANCES

A. A child is reported missing from school

- after leaving home in the morning but not appearing in the appropriate classroom at school.
- after arriving at school in the morning.

B. A child is reported for not returning home or not arriving at a caretaker's after attending school during the day.

II. GENERAL GUIDELINES

The structure of the response by School Board employees to the report of a missing child depends on both the point in the school day when the unexplained absence is first noted and the grade level of the missing child. The initial response to a missing third grader would be materially different from the disappearance of an eleventh grader from a high school campus.

III. PROCEDURES FOR DEALING WITH THE UNEXPLAINED ABSENCE OF A STUDENT WHO LEFT HOME TO ATTEND SCHOOL.

A. Upon determining the absence is unexplained, the principal will

- ascertain from other students if the missing student rode the bus to school and then, if appropriate, cause an inspection of the school building and grounds for the missing child.
- notify the Associate Director of Transportation and Warehouse Services that a child who left home for school that morning is now missing.
- notify the Chief Operations Officer (COO) of the missing child.
- notify a custodial parent of the situation and the actions being taken.

B. The Associate Director of Transportation and Warehouse Services will contact the appropriate bus drivers to determine if the missing child rode the bus that morning.

C. The COO will coordinate searching of the missing child's neighborhood, including checking the child's home.
D. If initial results fail to locate the child the COO will notify the York County Sheriff’s Department that the child is missing.

E. When advised by the COO, the Coordinator of Community and Public Relations (CCPR) will draft a press release for approval by the Division Superintendent.

   **N.B.** Refer to Crisis Intervention Handbook under Postvention procedures for detailed guidance on various aspects of dealing with a child’s disappearance.

### IV. PROCEDURES FOR DEALING WITH THE FAILURE OF AN ELEMENTARY OR MIDDLE SCHOOL STUDENT TO ARRIVE AT HOME AFTER LEAVING SCHOOL ON A BUS AT THE END OF THE SCHOOL DAY

A. The School Board employee first receiving a report of a missing child will notify the school principal and the Associate Director of Transportation and Warehouse Operations (except for Bethel Manor Elementary School) that a child has failed to return home and the absence is unexplained.

B. The Associate Director of Transportation and Warehouse Services will notify the COO of the missing child.

C. The Associate Director of Transportation and Warehouse Services will contact appropriate bus drivers to determine if the missing child boarded a bus at school and got off at the assigned or other stop.

D. The COO and the school principal will coordinate a search both of the missing child’s neighborhood and school (to see if the student returned).

E. If initial efforts fail to locate the child, the COO will notify York County Sheriff’s Department that a child is missing and the school principal will notify a custodial parent as appropriate.

F. When advised by the COO, the CCPR will draft a press release for the Division Superintendent’s approval.

   **N.B.** Refer to Crisis Intervention Handbook under Postvention procedures for detailed guidance on various aspects of dealing with a child’s disappearance.

### V. PROCEDURES FOR DEALING WITH A STUDENT’S DISAPPEARANCE FROM SCHOOL DURING THE SCHOOL DAY

A. Elementary school or middle school principals will notify the Director of School Administration if a child disappears from school during the day. High School principals will notify the Director of School Administration of a student’s disappearance from school when circumstances raise the suspicion of foul play.
B. Elementary school or middle school principals and faculty will canvas students for information regarding the missing student’s intentions.

C. The Director of School Administration will coordinate a search of neighborhoods around the school and a check of the student’s home.

D. Elementary school or middle school principals will notify a custodial parent of unexplained absence if the child cannot be located on school grounds and the absence remains unexplained.

E. When advised by the COO, the CCPR will draft a press release for the Division Superintendent’s approval.

F. The COO will notify the York County Sheriff's Department of the missing child if steps listed above fail to locate the student or explain the absence.

G. The COO will inform the Assistant County Attorney of the child’s disappearance and arrange any necessary reports for the York County Sheriff's Department.

N.B. Refer to Crisis Intervention Handbook under Postvention procedures for detailed guidance on various aspects of dealing with a child’s disappearance.

ISSUED: August 20, 1999

REISSUED: July 1, 2002; March 11, 2004

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SCHEDULE FOR SAFETY DRILLS/EVENTS

The safety drills or evolutions listed in Exhibit A are mandated either by local school board policy or by state agencies. This regulation provides guidance on these drills and evolutions.

COGNIZANT STAFF: School Principals and Occupational Safety-Regulatory Compliance Specialist

FREQUENCY:

1. **Fire Drills** - conducted once a week during the first month of the school year and monthly thereafter.
2. **Bus Evacuation Drills** - conducted on all school busses serving an individual school by school administrators or designees once each semester.
3. **Fire Inspection** - conducted annually by Fire and Life Safety and in accordance with state law.
4. **School Lockdown Drill** - conducted once each semester under the direction of the school principal.
5. **Threat of Deadly Force Tutorial** - conducted under the direction of the school principal during the week prior to the opening of school in September.
6. **Threat of Deadly Force Drill** - conducted annually under the direction of the Chief Operations Officer at a selected school site. This drill will be a collaborative effort with local agencies to include York County Fire and Life Safety and the York County Sheriff’s Department.
7. **Tornado Drill** – conducted every other year under the direction of the school principal in March.
8. **Surry Nuclear Alert Exercise** - conducted every other year under the auspices of York County’s Emergency Services and the Federal Emergency Management Agency.

**ISSUED:** December 10, 2001

**REVISED:** June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
HAZARDOUS MATERIAL MANAGEMENT PROCEDURES

The Hazardous Material Management Procedures implement the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (hereinafter "Standard") and provisions of the Asbestos Hazard Emergency Response Act (hereinafter "AHERA") which apply to the regular work routine of School Board employees.

I. General

The following components comprise these procedures:

A. Hazardous Chemicals
   1. Labeling Requirements
   2. Material Safety Data Sheets (MSDS) Requirements
   3. Employee Information and Training
   4. List of Hazardous Chemicals

B. Dealing with Hazardous Chemicals

Employees having any questions regarding the interpretation of application of the Hazardous Material Management Procedures should consult with the Occupational Safety-Regulatory Compliance Specialist (OSRCS).

OSHA’s definition of "hazardous chemical" is quite broad, and includes everything from oils and cleaning solvents to corrosive acids. The fact that an item is included in this program does not mean that it poses a definite health hazard to employees. The OSRCS has the assignment of coordinating and supervising all necessary steps to ensure the safe handling of hazardous chemicals in the past, and will continue to protect the safety of School Board employees in the future.

II. Labeling Requirements

A. Hazardous Chemicals

Every container of hazardous chemical received from any chemical manufacturer, importer, or distributor must contain a label or tag with the following information:

   1. The identity of the chemical
   2. Hazard warnings
   3. The name and address of the manufacturer, importer or other responsible party, or reference to the appropriate MSDS sheets. In either event, the information is available in the MSDS log.
These labels must remain on the containers while they are present at our facilities. Employees who see containers of hazardous chemicals which do not bear the appropriate label or tag with the above information should immediately contact the OSRCS at 898-0478.

The labeling requirements apply to chemicals placed in secondary containers. The appropriate chemical shall be placed in the appropriate secondary container that matches the original chemical container with all OSHA approved labeling.

B. Material Safety Data Sheets (MSDS) Requirements
Under the Standard, chemical manufacturers and importers must provide the York County School Division with a MSDS for each hazardous chemical which the Division purchases. A copy of the standard MSDS is included in the binder with this Hazard Communication Program for the information of all employees.

These MSDS’s will be located near employees and will be available during all work hours. The information binders with the MSDS forms will be located in each school’s main office and the custodial work room in each facility.

Employees are entitled to review the MSDS for their particular work wherever deemed necessary. If desired, employees may request to review the information with the OSRCS.

C. Employee Information and Training
The York County Division OSRCS will conduct training and information on the proper use of hazardous chemicals in each employee work area. This training will include:

1. Information regarding the requirements of the OSHA Hazard Communication Standard.
2. Specific identification of operations in each employee’s work area where potentially hazardous chemicals are present.
3. Information on the location of the Written Program and the information binder with all the MSDS forms including a list of hazardous chemicals.
4. The specific physical and health hazards of particular chemicals in each employee’s work area.
5. The specific steps employees can take to protect themselves from chemical hazards, including appropriate work practices, emergency procedures, and personal protective equipment.
6. An explanation of the Hazard Communication Program, including an explanation of the labeling system and Material Safety Data Sheet System.

The OSRCS will conduct these training sessions. Initial training sessions will take place within 30 days of a new employee’s hire. This program and these procedures will be reviewed with all employees by the OSRCS once a year or whenever new potentially hazardous chemicals are introduced into an employee’s work area.
D. List of Hazardous Material
A listing of hazardous material used in the School Division will be maintained by the OSRCS in the MSDS folder in each school, in the Maintenance Office and in the School Board Office.

III. Dealing with Asbestos Containing Building Materials

A. Identification of Asbestos Containing Building Materials (ACBM) in our facilities with the development of a written Operations and Maintenance (O&M) program has been established. The O&M program is designed to maintain ACBM until it is eventually removed. Although ACBM is our facilities is a minimal hazard, this program is important to minimize the potential occupant exposure to asbestos fibers.

B. The Asbestos Hazard Emergency Response Act (AHERA) Regulatory Guidelines require training for maintenance and custodial personnel be conducted by the school division. This training will be conducted by the OSRCS on an annual basis for current employees and as part of the initial training package for newly hired employees.

Federal Register (40 CFR 763) states: "The local education agency shall ensure that all members of its maintenance and custodial staff who may work in a building that contains ACBM receive awareness training of at least two hours, whether or not they are required to work with ACBM."

ISSUED: May 15, 1995
REISSUED: January 31, 2001
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
BOMB THREAT RESPONSE PLAN

I. Bomb Threat Call Checklist

The School Board employee receiving a bomb threat should obtain as much detailed information as possible about the bomb and its location. Legitimate callers usually wish to avoid injury or detection. Request more data by expressing a desire to save lives. Complete the "Information to Record if Bomb Threat Occurs," Exhibit One of this Plan.

The School Board employee receiving a bomb threat should immediately dial "call trace" (Attachment 1) in order to obtain the telephone number of the caller.

II. Bomb Threat Warnings

Immediately notify the person in charge of the building, and call:

A. York County Emergency Communications Center (911 Center)—TELEPHONE NUMBER 9-911 or 911 on cellular or pay telephone.

B. School Board Office—TELEPHONE NUMBER (one of the following):
   1. Director of School Administration 2182
   2. Coordinator of Community & Public Relations 0391
   3. Chief Operations Officer 0466

III. Evacuation

A. Evacuation of a building is a decision for the school principal or the principal's designee. The principal will give due consideration to the advice of the Sheriff and Fire Chief regarding evacuation.

B. Upon evacuation, students should be directed to take any bag or backpack with them when leaving the classroom.

C. Persons evacuated should remain at least 300 feet from the building.

D. Teachers will be responsible for the students in their rooms at the time of evacuation.

E. Teachers will take roll call at the evacuation holding area.

IV. Search of Building

A. Faculty and staff will assist the Sheriff’s Department and the Fire and Life Safety Department in checking the building for unusual objects if requested by the on-scene commander.

B. This activity will be directed by the senior Sheriff’s Department office on scene through the principal or the principal's designee. The principal will provide the floor plan of the building for use as a guide and check off list for the searchers.

C. Generally, teachers will investigate their classroom(s) and office.
D. Support staff will assist in searching non-academic areas of the building. The custodial staff and school nurse will report to the principal or principal’s designee for duty assignments.

E. Teachers and staff will report observations of any unusual object to the principal who in turn will pass the information to the Sheriff/senior office on scene. DO NOT TOUCH ANYTHING SUSPICIOUS.

F. Exhibit Two will be used by staff and faculty as requested by the York County Sheriff’s Department or Virginia State Police investigating the incident.

V. Discovery of an Explosive Device or Suspicious Object in the Building or on the Grounds

A. Discovery of an explosive device will convert the school building into a crime scene.

B. Immediately implement the DEADLY FORCE RESPONSE PLAN.

C. Upon such an occasion, the senior member of the Sheriff’s staff present at the school assumes control of the situation. The principal, or the principal’s designee, will then follow directions of the Sheriff or his senior deputy present at the school.

ISSUED: May 31, 1995
REISSUED: December 12, 2000
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
Call Trace

When a threatening call is received over a YCSD line, the trace process is as follows:

1. Immediately after completion of the call, dial the call trace code of 57 from the same telephone number that received the call. It is not necessary to dial 9 or the asterisk, just the digits of 57.
2. There will be a confirming voice message and the request to call the local police department for further investigation.
3. Document the date, time and any identifying thoughts regarding the caller or background noise, etc.
4. Quickly notify the local police department and follow instructions provided by your principal and the law enforcement agency.
York County School Board policy provides bus service to students enrolled in the York County School Division for transport to and from school on school days. In addition, transportation by school bus, station wagon or automobile, will be provided for approved off-campus trips that augment the activities programs of schools in the School Division within the bounds of funding approved by School Board.

In each case, ridership on School Board vehicles shall be limited to: students enrolled in the York County School Division; York County School Board employees; individuals approved by a school principal to serve as chaperones for off-campus field trips; minor children of York County school bus drivers, as addressed by SOP Employees’ Pre-School Children on School Buses; persons identified in approved Bus Service Agreements; and other persons as approved by the School Board.

ISSUED: December 2, 1998
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR REVIEWING A SCHOOL BUS DRIVER’S SUITABILITY FOR EMPLOYMENT IN THE EVENT OF A BUS ACCIDENT OR SUMMONS FOR A MOVING TRAFFIC VIOLATION

Transporting students safely is the primary criterion for evaluating bus drivers' performance. An accident involving a school bus raises serious concerns regarding the driver's performance. Also, a charge of violating a moving traffic regulation may raise serious doubts concerning the bus driver's ability to transport students safely.

Until the issue of the driver's suitability for continued employment has been resolved that person should be removed from any bus driving assignment. If facts indicate the accident or the summons was the driver's fault, the Superintendent must decide whether the person is suitable for continued employment.

This regulation is promulgated pursuant to School Board Policy Manual File GCPF/GDB.

I. INITIAL ACTION

A. Any accident involving a school bus will be reported to the Chief Operations Officer as soon as possible by the Associate Director of Transportation and Warehouse Operations.

B. A bus driver shall immediately report receiving a summons (traffic ticket) for a moving traffic violation while driving a school bus or his or her own personal vehicle to the Associate Director of Transportation and Warehouse Operations.

C. The Associate Director of Transportation and Warehouse Operations immediately will remove the driver who received a traffic summons from all driving duties.

D. For an accident in which the driver received no traffic summons the Associate Director of Transportation and Warehouse Operations will recommend to the Chief Operations Officer either the driver continue driving a bus as previously assigned or the driver be removed from all driving duties immediately. The Chief Operations Officer shall decide the issue.

II. REVIEW PANEL

A. Within 5 working days of the date on which the Associate Director of Transportation and Warehouse Operations removed the driver from driving duties, a panel consisting of the Chief Operations Officer, the Associate Director of Transportation and Warehouse Operations and one of the two transportation area supervisors will convene to determine a recommendation to be submitted to the Superintendent regarding the bus driver's status.

B. The Associate Director of Transportation and Warehouse Operations will make necessary arrangements for the panel to meet. He will then inform the bus driver no less that 24 hours before the event of the time and place of the panel's meeting and will advise the driver of the option to appear before the panel and present the driver's side of the incident.
C. The panel will review all available information on the incident provided by the Associate Director of Transportation and Warehouse Operations and will hear any statements which the bus driver or the bus driver's representative may choose to make.

D. After reviewing the facts and considering the statement, if any by the driver or the driver's representative, the panel will deliberate on the seriousness of the incident, the culpability of the driver and whether serious doubt exists regarding the driver's suitability for continued employment by the School Board.

E. Upon completing its deliberations the panel, by majority vote, will make one of the following recommendations:

1. Terminate the driver immediately.
2. Suspend the driver without pay until a pending traffic citation has been disposed of by the courts.
3. Reassign the driver to administrative duties until a pending traffic citation has been disposed of by the courts.
4. Return the driver to bus driving duties after completing appropriate refresher training specified by the panel.

F. The Associate Director of Transportation and Warehouse Operations will forward the panel's recommendation to the Chief Human Resources Officer for submission to the Superintendent.

III. ACTION ON RECOMMENDATION TO TERMINATE OR SUSPEND

A. When the panel recommends dismissal or suspension without pay, the Chief Human Resources Officer will conduct a brief hearing with the driver to advise the driver of the recommendation and give the driver an opportunity to make a statement.

B. Upon approval of the panel's recommendation by the Superintendent, the Chief Human Resources Officer or the Associate Director of Transportation and Warehouse Operations, as appropriate, will implement the appropriate action in accordance with School Board Policy Manual File GCPF/GDB and S.REG.- GCPD/GCPF/GDB

IV. FINAL ACTION ON REASSIGNED OR SUSPENDED DRIVERS

A. If a driver has been reassigned or has been suspended without pay while awaiting the outcome of court action on a traffic summons, the driver will be terminated if the General District Court, or the Circuit Court upon appeal of a General District Court conviction, finds the driver guilty of the charge. In this case the Chief Human Resources Officer will conduct a pre-termination hearing with the person prior to submitting the dismissal recommendation to the Superintendent. Actions undertaken to implement the recommendation shall be in accordance with School Board Policy Manual File GCPF/GDB and S.REG.- GCPD/GCPF/GDB

B. A finding of not guilty does not automatically return the reassigned or suspended driver to full duty. If a suspended or reassigned driver is found not guilty at trial on a traffic summons, the original panel will reconvene to recommend Superintendent's action on the driver's status.
C. The panel's recommendation will be submitted to the Superintendent as specified above. Implementation of the Superintendent's action on the recommendation shall comply with School Board Policy Manual Section Policy Manual File GCPF/GDB and S.REG.- GCPD/GCPF/GDB.

ADOPTED: August 2, 1993
REISSUED: January 25, 1994; January 13, 1995; May 4, 1999; July 1, 2002; March 11, 2004
REVISED: November 23, 2009; June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
SCHOOL BUS ACCIDENT RESPONSE PLAN

I. OBJECTIVES

This plan for responding to a school bus accident intends:

- to enhance delivery of care to injured passengers;
- to notify expeditiously parents of students involved;
- to provide continuity of transportation services;
- to collect relevant information for insurance claims.

II. BACKGROUND

A. School bus accident can occur:
   - with or without students on the bus;
   - during or outside of regular school day;
   - in or outside of York County

B. The presence or absence of students on the bus governs the first order of priorities for responding to the accident. The time of the accident, during or outside of the school day, governs the second order of priorities for responding. The location of the accident, in or out of York County, sets the third order of priorities for response.

C. Because each accident will involve unpredictable variables, a comprehensive check-off sheet is appropriate for each School Board employee assigned responsibility by this Response Plan. Individual employees involved in the response action will be expected to use common sense and exercise good judgment in carrying out response action as summarized by the steps listed in the check-off sheets.

III. ASSIGNMENT OF RESPONSIBILITIES

This Response Plan is based on the distribution of tasks among bus drivers, administrators, the bus garage staff, designated supervisors and the York County emergency services organization. The check-off sheets in the Appendices contain detailed duties.

A. Bus drivers are assigned responsibility for immediate on-scene action.

B. Managers and directors in the School Division support staff are assigned responsibilities for on-scene supervision.

C. School administrators are assigned responsibility for notification of parents of students riding the bus involved in the accident. The Director of School Administration is assigned responsibility as a backup in the event the principal and assistant principal are unavailable.

D. Assistant principals will report to the accident scene if requested by the On-Scene Supervisor.
E. The York County Director of Public Safety will provide emergency communication support via the Emergency 911 system.

F. The Director of School Administration or the Chief Operations Officer will coordinate school division activity at the hospital where injured students are taken from the scene.

G. All statements released to the media regarding the accident shall be coordinated by the Coordinator of Community and Public Relations.

H. The Associate Director of Transportation and Warehouse Operations will maintain the accuracy of Appendix C, Emergency 911 Notification Table for Supervisors. The Associate Director will provide an accurate listing of school administrator’s telephone numbers to persons listed on Appendix C. The Associate Director will submit the State Department of Education’s School Bus Accident Report as required by the Department’s regulations.

I. Teachers taking a class on a field trip or coaches taking a team on an athletic trip will fill out a Student Passenger Account Form (see Appendix A) for the students under their supervision and give it to the bus driver before the bus leaves the school for the trip.

**IV. SUMMARY OF RESPONSE ACTION**

A. In the event a school bus is involved in an accident, the first priority of the driver is the wellbeing of any injured students on the bus. If the driver is incapacitated, this duty shall fall on the first supervisory School Board employee ("on-scene supervisor") arriving on the scene. Emergency medical technicians on-scene shall determine the need of medical treatment for each student on the bus.

B. The second priority of the driver/on-scene supervisor shall be notification of parents of students on the bus. The driver/on-scene supervisor will collect necessary information for informing parents of the status of their children and then promptly pass this information to the appropriate principal. The check-off list in Appendix A to this Response Plan provides guidance for bus drivers in addressing these priorities.

C. The on-scene supervisor, upon arrival, shall back up, as necessary, action assigned first priority to the driver. Then the on-scene supervisor shall initiate parental notification procedures as provided in the check-off list in Appendix B. Next, the on-scene supervisor will take steps to ensure continuity of transportation service and lastly, ensure that appropriate information regarding the facts of the accident is collected.

D. If the accident involves injuries, the on-scene coordinator will arrange for a substitute bus driver as necessary to permit the bus driver in the accident to undergo a blood test for substance abuse as required by federal statute.

E. At the hospital the Director of School Administration or the Chief Operations Officer will coordinate release of students to parents or other authorized persons. He will also provide amplifying information on the medical status of students to the Coordinator of Community and Public Relations. The Director of School Administration or the Chief Operations Officer shall notify the Coordinator of Community and Public Relations of the accident and provide relevant information as soon as practical.
V. AVAILABILITY OF RESPONSE PLAN

A. A copy of the Response Plan will be kept on each school bus and in the Transportation Services Office, in addition to the copies filed in the Superintendent’s Regulations Manual.

B. The Chief Operations Officer, School Administrators, the Director of School Administration, the Associate Director of Transportation and Warehouse Operations, and the Managers of Custodial Services and Vehicle Maintenance will keep a copy of the Response Plan in ready access at all times.

VI. TABLE OF APPENDICES

A. Bus Driver Response Check-Off Sheet for Bus Accident
   1. Student Account Form
   2. Insurance Information Form

B. On-Scene Supervisor Check-Off Sheet

C. Emergency 911 Notification Table for Supervisors

D. Administrator’s Check-Off Sheet for Parental Notification

E. Communications and Public Relations Officer Press Release Guidelines

ISSUED: March 10, 1994
REISSUED: May 25, 1995; November 20, 1996; July 1, 2002; March 11, 2004; March 26, 2007
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SCHOOL BUS ACCIDENT RESPONSE PLAN:
BUS DRIVER RESPONSE CHECK-OFF LIST

The bus driver will take action in the order of priorities. Begin with PRIORITY 3 if no passengers are on the bus.

PRIORITY 1 - SAFETY OF PASSENGERS
- Render appropriate first aid to injured students on the bus.
- Notify the bus dispatcher by radio or 911 of the location and status of passengers.
- Remain at the scene unless necessary to seek assistance.
- While awaiting the arrival of emergency medical technicians (EMT), ask each passenger if any pain or discomfort is evident.
- Allow no student to leave the scene until EMT says that students requires no medical attention.
- The EMT will decide which passengers require treatment at a hospital/clinic.

PRIORITY 2 - NOTIFICATION OF PARENTS
- Collect names, telephone numbers and school of students on the Student Account Form attached to this Check-Off List OR
- Verify the names, telephone numbers and schools on the Student Account Form given to the driver by the teacher/coach for field trips and athletic trips.
- Note those students taken from scene by emergency medical services.
- Turn over list of names to first school division supervisor to arrive on the scene.
- For accident outside of York County, give list of names and telephone numbers to the school division on-call transportation supervisor who you contact by telephone.

PRIORITY 3 - CONTINUITY OF TRANSPORTATION SERVICES
- For accidents in York County, do not move the bus until the state trooper/police officer tells you to move it. Then follow the instructions of the on-scene supervisor.
- For accidents outside York County, do not move the bus until the state trooper/police officer has authorized the vehicle to be moved.
- If the accident involves a fatality or if the driver has received a citation for a moving traffic violation, a substitute bus driver must be provided to permit the bus driver involved in the accident to proceed to the School Board’s contractor for conducting blood tests for alcohol and substance abuse within two hours, as required by federal statute.

PRIORITY 4 - COLLECT ACCURATE INFORMATION FOR INSURANCE CLAIM
- Obtain the name, address, vehicle license plate number and insurance company of other parties involved in the accident and record on the Insurance Information Form attached to this Check-Off List.
- For accidents outside York County, list the damage to the bus and then provide that information by telephone to the on-call transportation supervisor.
SCHOOL BUS ACCIDENT RESPONSE PLAN
ON-SCENE SUPERVISOR CHECK-OFF LIST

PRIORITY 1 - SAFETY OF PASSENGERS
- Assist bus driver and EMT as necessary in providing treatment to any injured bus passengers.
- If appropriate, verify notification of 911 if EMT are not on scene.
- If appropriate, ensure that the EMT on scene are the only persons deciding who requires further medical attention at a hospital or clinic.
- Verify completeness of student account form with bus driver regarding any student taken from the scene by EMT.
- Immediately notify Director of School Administration and Chief Operations Officer of any injury or fatality.
- Ensure no student leaves the scene except in the care of an EMT, or on a replacement bus or in the custody of the student’s parents who have established their identity.

PRIORITY 2 - NOTIFICATION OF PARENTS
- By telephone contact the appropriate principal or assistant principal. Notify Director of School Administration in event you are unable to contact the principal or assistant principal.
- Provide principal with information from the bus driver’s Student Account Form.
- Inform the principal of the plans for completing transportation services for uninjured students on the bus.

PRIORITY 3 - CONTINUITY OF TRANSPORTATION SERVICES
- Call the transportation dispatcher for a substitute bus and driver if necessary.
  1. Bus with notable damage will be returned immediately to bus garage upon release of the bus by state trooper/police officer.
  2. A bus driver ticketed for the accident will be replaced if the bus is fit to continue on its route.
- Coordinate transfer of students upon arrival of replacement bus.
- When the accident involves a fatality or the driver has been ticketed, coordinate the return of the bus to the bus garage and the transport of the bus driver to the School Board’s contractor for blood testing for alcohol and substance abuse within two hours of the accident, as required by federal statute.

PRIORITY 4 - COLLECT ACCURATE INFORMATION FOR INSURANCE CLAIM
- Assist bus driver in completing Insurance Information Form, Part One.
- Complete Part Two of the Insurance Information Form.
- Coordinate towing services as appropriate.

NOTE
The on-scene supervisor will refer all questions from representatives of the media to the Community and Public Relations Officer.
# SCHOOL BUS ACCIDENT RESPONSE PLAN

**EMERGENCY 911 NOTIFICATION TABLE FOR SUPERVISORS**

O = Office  
C = Cellular Phone  
P = Pager, digital  
H = Home

## ACCIDENTS

<table>
<thead>
<tr>
<th></th>
<th>SCHOOL DAY</th>
<th>AFTER HOURS</th>
</tr>
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<td>4:30 p.m. - 6:00 a.m.</td>
</tr>
<tr>
<td></td>
<td>6:00 a.m. - 4:30 p.m.</td>
<td>4:30 p.m. - 6:00 a.m.</td>
</tr>
<tr>
<td>James T. Lash</td>
<td>898-0344 O 897-1915 C</td>
<td>George Lynch 851-8447 H 897-1917 C 988-2359 P</td>
</tr>
<tr>
<td>Bobby Johnson</td>
<td>898-0346 O 897-1916 C 872-2426 P</td>
<td>James T. Lash 591-0503 H 897-1915 C</td>
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<tr>
<td>Carl James</td>
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<td>Bobby Johnson 898-7523 H 897-1916 C 872-2426 P</td>
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<td>Carl James</td>
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## 911

<table>
<thead>
<tr>
<th></th>
<th>SCHOOL DAY</th>
<th>AFTER HOURS</th>
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<td></td>
<td>6:00 a.m. - 4:30 p.m.</td>
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<td>4:30 p.m. - 6:00 a.m.</td>
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<td>Bus Garage</td>
<td>898-0346</td>
<td>Bobby Johnson 898-7523 H 897-1916 C 872-2426 P</td>
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<tr>
<td>Transportation</td>
<td>898-0344</td>
<td>Dennis Hoare (804)642-2338 H 872-5035 P</td>
</tr>
<tr>
<td>Maintenance</td>
<td>898-0340</td>
<td>Carl James 838-3291 H 876-8680 C</td>
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## BREAKDOWNS

Correct as of: June 24, 2014
SCHOOL BUS ACCIDENT RESPONSE PLAN
PARENTAL NOTIFICATION SCHOOL ADMINISTRATOR’S CHECK-OFF LIST

SITUATION:
1. The Operations’ On-Scene Supervisor:
   1. has advised you that a bus carrying students from your school has been involved in an accident;
   2. has given to you the names and telephone numbers of the students on the bus;
   3. has informed you of the condition of each student as then known at the accident scene;
   4. has informed you of the location of students and the plan for further transportation of uninjured students.

ACTION:
1. Contact each parent concerned.
2. Inform the parent of the student’s medical condition, the student’s location, and the plans for further transportation.
3. As appropriate, inform school faculty and staff.

NOTE
1. In the event of a fatality, the Division Superintendent or the Chief Operations Officer will notify the parents.
2. In the event the Operation’s On-Scene Supervisor cannot notify the principal or assistant principal, the On-Scene Supervisor will contact the Director of School Administration.
SCHOOL BUS ACCIDENT RESPONSE PLAN
PRESS RELEASE GUIDELINES

These guidelines shall be followed if it is determined that a release to the media is necessary. A press release is not required for every bus accident.

I. NO STUDENTS INVOLVED IN BUS ACCIDENT

YORKTOWN, VA -- A York County School Division school bus was involved in an accident today (this evening). The bus, which was not transporting students at the time, was traveling at approximately _____ a.m. (p.m.) when it was struck by (struck) another vehicle(s) traveling along ____________. The school bus was hit in the _______ and sustained damage to the ______________. State police did not (did) issue a traffic ticket to the bus driver.

II. STUDENTS ON BUS INVOLVED IN ACCIDENT

YORKTOWN, VA -- A York County School Division school bus was involved in an accident today (this evening). The bus, transporting students from (to) __________ School was traveling at approximately ___ a.m. (p.m.) when it was struck by (struck) another vehicle(s) traveling along ____________. Approximately ___ students were transported to a local hospital (after sustaining injuries and/or complaining of minor discomfort) as a precautionary measure. The school bus was hit in the ______________ and sustained damage to ______________. The State police did not (did) issue a traffic ticket to the bus driver.

III. MEDIA CONTACTS

The Coordinator of Community and Public Relations shall maintain a current listing of printed and electronic media reporters who would be interested in receiving notice of a school bus accident. If necessary, the Coordinator of Community and Public Relations shall issue a press release to these persons as soon as possible after the release is authorized by the Division Superintendent.

IV. LIMITATIONS

The spokesperson will make no comments on the facts of the accident. Questions concerning details of the event will be referred to the responding law enforcement or fire and life safety department officials because these officials are responsible for investigating the details of the accident.
THE VIRGINIA DEPARTMENT OF EDUCATION REGULATIONS GOVERNING PUPIL TRANSPORTATION does not permit pupils standing on school buses except under unforeseen emergency conditions.

Occasionally emergencies will arise that may require students to stand on buses in order to be transported. The following emergencies warrant transported students being permitted to stand while being transported on school buses for short distances:

1. A mechanical breakdown of a bus transporting students requiring a driver on different route picking up and transporting the students from the inoperable bus to or from school.

2. A shortage of available drivers to provide student transportation on scheduled occasions to a specific location within (5) miles of the point of departure.

3. Emergency evacuation of a school building.

4. An influx of new students during the school year causing temporary overloading on a particular route while routes are being modified to handle the influx of new students.

Regulatory Authority:

Virginia Department of Education Regulations Governing Pupil Transportation (Revised September 2012) – 8 VAC 20-70-40 Seating

ISSUED: September 10, 2004
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
This regulation establishes guidelines for dealing with

- the occasional student who appears in the serving line with no money to purchase food items in school cafeterias.
- the student who chronically fails to bring meal money to school (three consecutive days or four times in one month).

I. BACKGROUND

Students occasionally, a few chronically, come to school without money (meal money) for the purchase of food items in school cafeterias. Under the Uniform Policy Statement, approved by the School Board and signed by the Division Superintendent, school cafeterias are prohibited from selling meals on credit. All transactions must be on a cash basis. In an effort to accommodate students who occasionally forget their meal money administrators adopt procedures ensuring food for such students. Such procedures are tailored to the needs of each school. Also, each set of school procedures is included as an addendum to the Uniform Policy Statement that the Board approves prior to submission for approval to the Director of School Nutrition Programs at the State Department of Education. This administrative structure is required by the guidelines of the U.S. Department of Agriculture Regulations for the national school lunch program.

II. DETAILED PROCEDURES

A. School cafeteria managers will sell breakfast and lunch items to students only on a cash basis. Credit sales are unauthorized under federal regulations.

B. School cafeteria managers will make no loans to students who appear in the serving line without meal money.

C. School principals will develop procedures they deem appropriate for dealing with students who appear in the serving line without meal money. Such procedures must be forwarded by May 1 of each year to the Manager of Food Services for attachment to the Uniform Policy Statement prior to its approval by the School Board and subsequent submission to the Virginia Department of Education.
D. School principals may use school activity fund accounts or money donated by school PTA’s or other support organizations for such purposes, to purchase food and beverage to give to students who occasionally lose or forget their meal money.

E. School principals who implement procedures under D above will make arrangements for reimbursement from parents of students who come to school without meal money. The school principal or designee will make contact with the parents of such students.

F. No cafeteria manager will be required to contact parents of students who appear in the lunch line without meal money.

G. In the event a student chronically fails to have meal money, school principals will confer with a parent to remedy the problem, including providing the applications for the free and reduced school meal program if appropriate. Principals will also be alert to circumstances that might warrant referral to the York-Poquoson Department of Social Services.

ISSUED: August 1, 1999

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
COMPETITIVE FOOD SALES AND VENDING MACHINES IN SCHOOLS

This regulation establishes guidelines for dealing with:

A. Competitive food sales in schools during regularly scheduled student days when the cafeteria is in operation for serving breakfast and lunch (For purposes of this regulation, a competitive food sale is any sale of food or beverage which is not under the financial management of the cafeteria manager.)

B. Vending machines offering competitive food sales which are accessible to students on regularly scheduled student days

C. Delivery of food items to students by outside vendors or sales of snack items by school sponsored organizations, faculty, or students on regularly scheduled student days

BACKGROUND

School Board Policy Manual Sub-Section EF governs competitive food sales in schools on regular school days. This policy reflects the requirements of federal regulations regarding school lunch programs. These requirements are reemphasized annually by the School Board’s formal approval of the Uniform Policy Statement and The Letter of Agreement to Participate in the School Nutrition Programs, required by the Virginia Department of Education. Under these regulations a principal has no authority to permit competitive food or beverage sales from the time students begin their class schedule until the school lunch program concludes each day. However, principals may authorize snack and beverage vending machine operations for students upon completion of the lunch blocks each day. Principals may also permit student organizations to conduct fund raising sales of snacks and drinks in a school upon completion of lunch blocks on any day.

DETAILED PROCEDURES

A. In schools offering a breakfast program to students, no competitive food or beverage sales may begin until the lunch periods conclude on a regularly scheduled student day.

B. In schools without a breakfast program in the cafeteria, competitive food and beverage sales will cease at the beginning of the first regularly scheduled class and cannot resume until lunch periods conclude.

C. Principals will inform, by appropriate means, faculty and parental groups that the principal will not permit delivery of food substances/items from outside sources to the school on a regularly scheduled school day until after the school lunch periods conclude

D. Principals will inform, by appropriate means, faculty and appropriate student leaders that the principal will not permit clubs, organizations, libraries, or classroom teachers to sell snacks or beverages to students during the regular class day until the conclusion of the school lunch periods.
ISSUED: August 1, 1999
REISSUED: June 24, 2014
LEGAL REFERENCE: Code of Virginia 8 VAC 20-290-10

Approved:

Eric Williams, Ed.D.
Division Superintendent
FREE/REDUCED LUNCH DATA

State Superintendent’s Memo No. 3, June 1, 2001, gives School Food Authorities permission to disclose a student’s name and eligibility status, without parental consent, to those persons directly connected to the administration or enforcement of state education programs that provide academic or vocational benefits. This includes representatives for local education agencies evaluating the results and compliance with student assessment programs that were established and continue to be administrated at the state level.

In order for the YCSD to meet state and federal testing requirements, students who are economically disadvantaged must meet annual state accreditation benchmarks and federal annual measurable objectives. The state identifies students who receive free or reduced lunch as economically disadvantaged. Specific teachers and administrators must know the identity of these students in order to ensure that they meet all state testing targets. The following procedures are in place to enable the appropriate staff members to know the identity of these students while at the same time ensuring as much confidentiality as possible.

1. The Division Director of Testing (DDOT) will download free or reduced lunch data from the Division’s student information system. The DDOT will sign the Memorandum of Understanding Agreement of Disclosure of Confidentiality Free and Reduced Price Meal Eligibility form upon retrieving the information.

2. The DDOT will provide a school’s list of students who receive free or reduced lunch to the designated school test coordinator (STC) for each school. The STC will sign the Memorandum of Understanding Agreement of Disclosure of Confidentiality Free and Reduced Price Meal Eligibility form upon receiving the information.

3. The DDOT will provide the STCs with free or reduced lunch data beginning the first work day after September 30 and the beginning of each quarter thereafter.

4. STCs will share school-level data with principals and assistant principals after those individuals have signed the Memorandum of Understanding Agreement of Disclosure of Confidentiality Free and Reduced Price Meal Eligibility form.

5. Teachers may be provided with student remediation lists, however, under no circumstances is the teacher to know the students free or reduced lunch status. No teacher should receive a complete list of all students who receive free or reduced lunch.

6. On June 30 of each school year, all electronic and other forms of free or reduced lunch documentation will be deleted or shredded by the STC.
7. School Board Office instructional staff who administer or enforce programs which provide academic or vocational benefits that do not require parental consent for the release of free/reduced lunch data will contact the DDOT directly and will sign the Memorandum of Understanding Agreement of Disclosure of Confidentiality Free and Reduced Price Meal Eligibility form.

Issued: October 8, 2003
Reissued: April 7, 2004
Revised: September 6, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent
EXPOSURE CONTROL PLAN FOR OCCUPATIONAL EXPOSURE TO BLOOD-BORNE PATHOGENS

The Blood-borne Pathogen Standard promulgated by OSHA/VOSH 1910.1030 is designed to eliminate or minimize employee exposure to blood or other potentially infectious material. Blood-borne Pathogens are pathogenic microorganisms that are present in human blood that can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

The York County School Division Exposure Control Plan (Plan) contains the following elements:

1. Exposure Determination
2. Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-up
3. Communication of Hazards to Employees
4. Recordkeeping

Methods of Compliance of the program contain:

1. Universal Precautions
2. Engineering Controls
3. Work Practice Controls
4. Personal Protective Equipment
5. Housekeeping
6. Sharps Procedures
7. Regulated Waste
8. Laundry

The Exposure Control Plan shall be located in all school clinics, safety and transportation offices and be accessible to employees upon request. The Occupational Safety and Regulatory Compliance Specialist shall be responsible for annually reviewing and updating whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure. Employees having any questions regarding the interpretation and application of the Blood-borne Pathogen Standard procedures should consult with Occupational Safety and Regulatory Compliance Specialist.

Labeling Requirements

The Biohazard Label shall be affixed to containers of regulated waste. These labels shall be fluorescent orange-red with lettering or symbols in a contrasting color.

Training

The Occupational Safety and Regulatory Compliance Specialist shall ensure that all employees with occupational exposure receive training at the time of their initial assignment. Annual
training for employees with occupational exposure shall be provided within one year of their previous training.

 ISSUED: July 9, 1997
 REVISED: June 24, 2014
 REISSUED: January 31, 2001

 LEGAL REFERENCE: Code of Virginia §22.1-271.3; OSHA/VOSH 29 CFR 1910.1030

 Approved:

 Eric Williams, Ed.D
 Division Superintendent
INSTRUCTIONAL PROGRAM SAFETY PLAN

This plan is established as a part of the York County School Division Workplace Safety Policy (File EU) for the Instructional Programs physical safety of all members of the professional and support staff and that of our students. This plan is in compliance with current safety rules and regulations and minimizes threats to physical safety to all concerned.

The practices and procedures in this plan shall be implemented in four specific areas:

- Art Instructional Safety Program (EU-10-1)
- Physical Education Safety Program (EU-10-2)
- Science Laboratory Safety Program (EU-10-3)
- Technology Education Safety Program (EU-10-4)

It shall be the duty of each instructional director and building principal to see that these practices and procedures are followed at each school site.

ISSUED: May 15, 1995

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ART INSTRUCTIONAL SAFETY PROGRAM

APPLICABILITY:

This regulation outlines details for the safe handling, storage and proper use of art related materials. It also describes student/teacher behaviors that lead towards having safe art classroom.

BACKGROUND:

The School Division is responsible for the safety of its students and staff members in all facets of their school environment. Art instruction lends itself to potentially dangerous health and safety situations. The following procedures are designed to inform those involved about these situations so that the potential hazards can be averted.

RELATED PROCEDURES:

Regulatory Memo No. FY94-43/Section 65.2-603 Worker’s Compensation Act of Virginia
School Board Policy File EU, Workplace Safety.
Superintendent’s Regulation JHC-1, Protective Eye Devices

DETAILED PROCEDURES:

1. The Chief Operations Officer will see that each art teacher and their immediate supervisor receive a copy of the General Overview and Guidelines for Art Classroom Safety (Appendix A).

2. The Coordinator of Licensed Staff Development will arrange in conjunction with the Occupational Safety and Regulatory Compliance Specialist specific staff development activities for art teachers. These activities should cover the use and removal of hazardous materials.

3. All equipment and storage facilities will be checked regularly by personnel responsible for those areas. Any maintenance problems will be reported to the appropriate personnel.

4. All new art teachers will be made aware of these guidelines during their orientation.

5. The General Overview and Guidelines for Art Classroom Safety packet will be reviewed every three years and updated as necessary.

ISSUED: May 15, 1995
REISSUED: January 31, 2001

REVISED: June 24, 2014

Approved:
Eric Williams, Ed.D.
Division Superintendent
APPENDIX A

GENERAL OVERVIEW AND GUIDELINES FOR ART CLASSROOM SAFETY

WASTE REDUCTION

Artists and art students work with many materials to create art. Certain art materials can be hazardous both to students and to the environment. The best way of eliminating waste art materials is through source reduction, the elimination of hazardous and/or non-hazardous waste before it is created. Reuse and recycling are also good methods for reducing waste. Several ways that art students and teachers can address this issue are:

• Substitute art materials that are less toxic to the environment—and also less toxic to the students.

• Completely use up art materials. Purchase in container sizes that do not leave lots of residue.

• Reuse or recycle art materials whenever possible.

• Treat hazardous waste art materials by neutralization (see photography section) or other methods when possible to reduce the toxicity of the waste stream.

Understand that substitutions may involve using alternative art materials and techniques. It may take a little time getting used to these alternations. Also, remember that the safety of all recycled materials should be determined before use. These guidelines contain general recommendations and very specific ones for safer substitutes in art.

ELEMENTARY SCHOOL STUDENTS

Some art materials are dangerous to young children to use. Basically, young children should only use art materials that are non-toxic. We recommend that young children use art materials that do not have any warning labels and carry the statement "Conforms to ASTM D-4236" or similar wording. Products that have been approved by a toxicologist and carry the Certified Product (CP) or Approved Product (AP) seal of the Arts and Crafts Materials Institute are generally approved for young children.

Included here are safe art materials that can be SUBSTITUTED for the more hazardous ones in elementary school classes. Young children should not use any processes discussed under secondary schools unless also approved in the elementary school student’s section, at the top of each art category.

SECONDARY SCHOOL STUDENTS

Art materials that are used in the middle and high school levels are often more toxic. Included are safe and less toxic art materials that can be used to replace more hazardous materials. Please remember that sometimes the substitute materials can still be hazardous—just less so! Make sure that the label carries the statement "Conforms to ASTM D-4236" or similar wording, indicating that the warning label conforms to the requirements of the Labeling of Hazardous Art Materials Act of 1988.

Since many art materials recommended here still might be hazardous, although to a lesser degree, secondary school students and teachers may still need to take health and safety precautions while using art products. These precautions may include types of ventilation, gloves, respirators (face masks), and other safety precautions. Remember to take the right safety precautions! (See references.)
The following guidelines for Art Classroom Safety and for the proper use of potentially hazardous materials are recommended.

The State Art SOLs at all levels of instruction give specific guidelines for the care, safety, and use of art materials.

The various art supply sources give in-depth information on the safety of the materials which they sell for classroom use.

DRAWING AND PAINTING

**Elementary School**

**Paints**
Use CP/AP water colors, tempera, and acrylic paints, NOT adult paints.

**Scented Markers**
DO NOT USE BECAUSE THEY TEACH CHILDREN TO SMELL AND EAT ART MATERIALS.

**Permanent Markers**
Use CP/AP water-based markers.

**Pastels**
Use CP/AP oil sticks, crayons, chalks, and colored pencils.

**Spray Fixatives**
Use CP/AP clear acrylic emulsion to fix drawings

**Secondary School**

**Pigments**
Use pigments that do NOT contain lead, cadmium, mercury, arsenic, or chromates. USE premixed paints.

**Oil Paints**
Use water-based paints. REPLACE turpentine washes with acrylic underpainting.

**Spray Paint**
Brush or splatter paints.

**Solvent Cleaning**
Use baby, vegetable, or mineral oil instead of solvents to clean hands and brushes.

**Turpentine**
Use turpenoid, odorless paint thinner or odorless mineral spirits.

**Water Solvents**
Reuse solvents by allowing to settle and then filtering or decanting.

**Pastels**
Use oil pastels instead of dry pastels.

**Drawing Inks**
Use water-based inks instead of solvents-based inks.

**Permanent Markers**
Use CP/AP water-based markers. Use alcohol-based markers instead of markers based on toulene or methyl isobutyl ketone.

SCULPTURE

**Elementary School**

**Modeling Clay**
Use pre-mixed clay or CP/AP modeling materials.

**Paper Mache**
Use black and white newspaper with CP/AP pastes or CP/AP instant paper mache made from cellulose.

**Secondary School**

**Clay**
See Ceramics.

**Plastic Resins**
DO NOT USE polyester, epoxy, acrylic or polyurethane resins, because of the high toxicity.
Solid Plastics
Use saws instead of hot wire or torches.
Soapstone or Steatite
Carve alabaster or cast plaster.
Wax
Use beeswax or petroleum waxes, NOT chlorinated waxes.
Metal Casting
See Metalworking.

PHOTOGRAPHY

Elementary School

Photochemicals
Use Polaroid cameras without transfer manipulation.

Secondary School

(Black and White Processing)
Use only Metol/hydroquinone developers or the less toxic phenidone/hydrquinone developers. Use replenishment solutions to reuse chemicals. Neutralize with stop bath or citric acid before disposal.
Developers
Stop Bath
Use water only, instead of acetic acid.
Fixers
Use low acid fixers instead of high sulfur dioxide rapid fixers. Recover silver from fixer if using large amounts.
Reducers
Use only Farmer’s reducer (potassium ferricyanide).
Intensifiers
DO NOT USE INTENSIFIERS BECAUSE OF THEIR TOXICITY.
Toners
DO NOT USE TONERS BECAUSE OF THEIR HIGH TOXICITY.
Hypo Eliminators
Use water or hypo cleaning agents for washing.

(Color Processing)
Color Developers
Do not use phenylene diamine developers.
Solvents
Use only low solvent color processes.
Formaldehyde
DO NOT USE FORMALDEHYDE STABILIZERS.

(Blue Printing)
Fixers
Use dilute hydrogen peroxide instead of dichromates for fixing.

CERAMICS

Elementary School

Clays
Use only wet, premixed clays.
White Clays
Use only talc-free clays.
Glazes
Paint finished pieces with acrylics or tempera instead of glazing. Use CP/AP lead-free liquid glazes.
Secondary School

Clays Use only talc-free, premixed clays.
Glazes Use only lead-free glazes. Use premixed liquid glazes, not powders.
Colorants Use glazes that do not contain carcinogenic nickel, cadmium, uranium, chromates or talc.
Waste Clays Cut into small pieces and place in barrel of water for recycling.
Waste Glazes Combine residual glazes and reuse.

METALWORKING

Elementary School

Jewelry Bend metal wire instead of soldering.
Stained Glass Use colored cellophane and black paper to imitate colored glass and lead came.

Secondary School

Jewelry

Silver Solder Use cadmium-free silver solders.
Fluxes Use borax instead of fluoride-based fluxes.
Pickling Baths Use sodium hydrogosphate (Sparex) instead of sulfuric acid. Neutralize the pickling bath with baking soda before pouring down sink with lots of water. Test with pH paper.

Enameling

Enamels Use only lead.
Enamel Colorants Use enamels that do not contain nickel, cadmium, uranium, arsenic of chromates.
Waste Enamels Combine and reuse.

Metalcasting

Lead Do not cast lead or lead-containing metals.
Sand Blasting Use glass beads or alumina instead of silica sand.
Asbestos Use asbestos-free insulation.
Silica Investment Use plaster and sand mixture.

Stained Glass

Lead Came Use copper foil technique.
Lead Solders Use lead and antimony-free solders.
Fluxes Use acid-free and rosin-free fluxes.
Glass Paints Use colored glass or lead-free paint.
**Welding**

**Metals**
Weld metals like mild steel that are not galvanized, or do not contain lead, nickel, chromium, or cadmium. Use metals of known composition. Do not use metals coated with lead paint.

**Fluxes**
Do not use fluoride fluxes.

**Degreasing**
Degrease metals with detergents or odorless mineral spirits instead of chlorinated hydrocarbons.

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**PRINTMAKING**

**Elementary School**

**Screen Printing**
Use CP/AP water-based inks. Use cut paper stencils.

**Relief Printing**
Do linoleum cuts instead of woodcuts. Use CP/AP water-based inks.

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**Secondary School**

**Pigments**
Use pigments that do not contain lead, cadmium, mercury, chromates or arsenic. Use premixed inks.

**Cleaning Solvents**
Use vegetable oil instead of solvents. Use odorless mineral spirits instead of turpentine, kerosene or gasoline.

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**Screen Printing**

**Inks**
Use water-based inks instead of solvent-based inks.

**Stencils**
Use cut paper, contact paper, etc. instead of lacquer stencils.

**Screen Mounting**
Use staples or tape instead of solvent-based glues.

**Photoemulsions**
Use diazo photoemulsions or presensitized photo film.

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**Intaglio**

**Acids**
Use ferric chloride (iron perchloride) instead of Dutch mordant. Neutralize nitric acid baths with baking soda before pouring down sink. Test with pH paper.

**Cleaning Solvents**
Scrape inking slab and press with palette knife to reduce amount of ink, remove remaining ink with vegetable, baby or mineral oil, and wipe oil film with cotton ball and rubbing alcohol for cleanup.

**Photoetching**
Use pre-sensitized plates or xerox transfer/screen process instead of techniques that use highly toxic solvents.

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**Lithography**

**Acids**
Use premixed gum etches instead of using concentrated acids.

**Vinyl Lacquers**
Do not use because of high toxicity.

**Dichromates**
Use fountain solutions based on water and gum arabic. Use citric acid as counteretch.

**Hydrofluoric Acid**
Do not use because of extreme toxicity.

**Talc**
Use asbestos-free talc (e.g., baby powder).

**Phenol**
Use mechanical cleaning of stones.

**Photolithography**
Use positive/negative presensitized offset plates.
TEXTILES AND FIBER ARTS

Elementary School

Synthetic Dyes
Use vegetable dyes (spinach, tea, onion skins, etc.) or food dyes.

Synthetic Fibers
Use fibers that have not been treated with formaldehyde sizings.

Textile Remnants
Left-over textile scraps can be used for stuffing pillows or soft sculpture projects.

Secondary School

Fibers
Animal Fibers
Use hair and wool not imported from Mid or Far East because of anthrax risk.

Dyeing

Mordants
Use non-dichromate mordants.

Fiber-Reactive Dyes
Use liquid fiber-reactive dyes, not powders.

French Dyes
Use water-based dyes.

Vat and Azoic Dyes
Use other classes of dyes.

Leather Dyes
Use leather dyes containing denatured alcohol rather than other solvents.

Batik

Wax
See Sculpture.

Dyes
See Dyeing.

Solvents
Boil out or iron out wax instead of using solvents.

Papermaking

Woods and Plants
Use non-allergenic and non-irritating materials.

Lye
Recycle used paper and cardboard, or use rotten or mulched plant materials to avoid boiling in alkali. Use soda ash (sodium carbonate) instead of lye.

Dyes and Pigments
Use liquid dyes and pigments instead of powders. See also Dyeing.

COMMERCIAL ART

Elementary School

Scented Markers
Do not use because they teach children to smell and eat art materials.

Permanent Markers
Use CP/AP water-based markers.

Rubber Cement
Use glue sticks or double-sided tape.

Glues
Use CP/AP glues for collage.
**Secondary School**

**Paints and Inks**
Use water-based paints and inks instead of solvent-based one.

**Airbrushing**
Use a tooth brush to spatter paint. Don’t airbrush solvent-based dyes or inks.

**Permanent Markers**
Use water or alcohol-based markers instead of markers based on toluene or methyl isobutyl ketone.

**Rubber Cement**
Use waxers or double-side tape instead of rubber cement or spray adhesives. Use a kneaded eraser to remove wax from mechanicals. Use heptane-based rubber cement and spray adhesives instead of hexane-based types.

**WOODWORKING**

**Elementary School**

**Woods**
Use only common soft woods.

**Glues**
Use CP/AP glues.

**Paints**
Use CP/AP water-based paints.

**Secondary School**

**Preserved Wood**
Do not use woods treated with chromated copper arsenate (CCA, pentachlorophenol, or creosole). Use ordinary woods.

**Particle Board**
Use ordinary woods to avoid any formaldehyde.

**Plywood**
Use non-allergenic and non-irritating woods.

**Tropical Woods**
Use white glues, hide glues and other water-based glues instead of epoxy, formaldehyde or solvent-based glues. Use small containers to minimize drying out of glue.

**Glues**
Use water-based products instead of solvent-based ones. Use lead and mercury-free paints.

**Paints and Coatings**
Use shellacs containing denatured alcohol not methyl alcohol.

**Shellac**
Recycle into new projects.

**Leftover Wood**
Recycle by drying or sending to recycling laundry.

**Oil and Solvent Soaked Rags**
Recycle by drying or sending to recycling laundry.
PHYSICAL EDUCATION SAFETY PROGRAM

APPLICABILITY:

This regulation outlines actions and plans that will be followed to ensure a safe Physical Education Department. It also describes similar procedures that will be followed for interscholastic athletics.

BACKGROUND:

The School Division is responsible for the safety of its students and staff members in all facets of their school environment. Physical education classes along with interscholastic athletics have potentially dangerous safety factors. The following outline is designed to inform those involved about these factors and procedures to follow so that the potential for accidents is minimized.

RELATED PROCEDURES:

Regulatory Memo No. FY94-43/Section 65.2-603 Worker’s Compensation Act of Virginia

School Board Policy File EU, Workplace Safety

School Board Policy EBA, Buildings and Grounds Inspection.

DETAILED PROCEDURES:

1. The Chief Operations Officer will see that each physical education teacher, coach and immediate supervisor receives a copy of the Physical Education Safety Outline (Appendix A) and Athletic Safety Outline (Appendix B).

2. The Coordinator of Licensed Staff Development will arrange specific staff development activities for the physical education teachers and coaches. These activities should cover specific hazards that exist, basic safety rules, and procedures that should be followed.

3. All equipment, storage facilities, and playing fields will be checked regularly by personnel responsible for those areas. Any maintenance problems will be reported to the appropriate personnel.

4. All new physical education teachers and coaches will be made aware of these guidelines during their orientation.

5. The Physical Education Safety Outline will be reviewed every three years and updated as necessary.
ISSUED: May 15, 1995

REISSUED: January 31, 2001

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SCIENCE EDUCATION SAFETY PROGRAM

APPLICABILITY:

This regulation outlines details for the safe handling, storage and proper use of science related equipment and materials. Included are hazardous situations that are present within the science classroom. It also describes student/teacher behaviors and responsibilities that will allow for safe science classrooms.

BACKGROUND:

The School Division is responsible for the safety of its students and staff members in all facets of their school environment. Science classes have potentially dangerous health and safety factors. The following procedures are designed to inform those involved about these situations so that the potential for accidents is minimized.

RELATED PROCEDURES:

School Board Policy File EU, Workplace Safety Superintendent’s Regulation JHC-1, Protective Eye Devices

DETAILED PROCEDURES:

1. The Chief Operations Officer will see that each science teacher, due to the potentially hazardous situations inherent in their classes, receive a copy of: The York County School Division Chemical Hygiene Plan (Appendix A) and the Standard Science Instructional Procedures (Appendix B). Copies of these two documents should also be housed with their immediate supervisor.

2. The Coordinator of Licensed Staff Development will arrange in conjunction with the Occupational Safety and Regulatory Compliance Specialist specific staff development activities for the science teachers. These activities should cover specific hazards that exist, basic safety rules, and location of safety equipment, how to inspect potentially hazardous equipment, and procedures to be followed if an accident occurs.

3. All equipment and storage facilities will be checked regularly by personnel responsible for those areas. Any maintenance problems will be reported to the appropriate personnel.

4. All new science teachers will be made aware of safety guidelines and the potentially hazardous situations inherent to their classes. This should occur during their new teacher orientation.
5. The review of the Chemical Hygiene Plan and the Standard Instructional Procedures for Science document should take place every two years. The review panel should consist of the science department chairs and the Occupational Safety and Regulatory Compliance Specialist.

ISSUED: May 15, 1995
REISSUED: January 31, 2001
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
TECHNOLOGY EDUCATION SAFETY PROGRAM

APPLICABILITY:

This regulation outlines details for the safe handling, storage and proper use of technology related equipment and materials. Included are hazardous situations that are present within these classrooms. It also describes student/teacher behaviors that will allow for safe technology classrooms.

BACKGROUND:

The School Division is responsible for the safety of its students and staff members in all facets of their school environment. Certain Career and Technical Education classes have potentially dangerous health and safety factors. The following procedures are designed to inform those involved about these situations so that the potential for accidents is minimized.

RELATED PROCEDURES:

Regulatory Memo No. FY94-43/Section 65.2-603, Worker’s Compensation Act of Virginia

School Board Policy File EU, Workplace Safety

Superintendent’s Regulation JHC-1, Protective Eye Devices

DETAILED PROCEDURES:

1. The Chief Operations Officer will see that each vocational teacher that has potentially hazardous situations inherent in their class, and their immediate supervisor, receive a copy of the Technology Education Safety Packet (Appendix A).

2. The Coordinator of Non-Licensed Staff Development will arrange, in conjunction with the Occupational Safety and Regulatory Compliance Specialist, specific staff development activities for the above mentioned vocational teachers. These activities should cover the specific hazards that exist, basic safety rules, and power/hand tool safety.

3. All equipment and storage facilities will be checked regularly by personnel responsible for those areas. Any maintenance problems will be reported to the appropriate personnel.

4. All new Career and Technical Education teachers that have potentially hazardous situations inherent to their class will be made aware of these guidelines during their orientation.
5. The Technology Education Safety Packet will be reviewed every three years and updated as necessary.

ISSUED: May 15, 1995

REISSUED: January 31, 2001

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
This plan is established as part of the York County Schools Safety Policy (File EU) for the physical safety and security of all the members of the professional and support staff and that of our students. This plan is in compliance with current safety laws and minimizes threats from criminal misconduct.

The practices and procedures in this plan shall be implemented in three specific areas:

- Security Procedures for Off-Campus Events - EU-3
- Response to Criminal Activity EU-4
- Building and Grounds Safety and Security EU-5

It shall be the duty of each director and building principal to see that these practices and procedures are followed at each school site.

ISSUED: May 15, 1995
REVISED: June 24, 2014
REISSUED: January 31, 2001

LEGAL REFERENCE: Code of Virginia §8 VAC 20-131-260

Approved:

Eric Williams, Ed.D.
Division Superintendent
SECURITY PROCEDURES FOR OFF-CAMPUS EVENTS

APPLICABILITY:
This procedure is to be followed by York County School Board employees planning and implementing off-campus events for York County School Division students.

BACKGROUND:
The school is responsible for the safety, security, and welfare of students at off-campus events and activities as well as those activities which take place at the school building site. Any off-campus event must have prior approval by the principal of the school who has the authority to determine the suitability of the event and the eligibility of students to participate. The following procedures are designed for use in planning and implementing school trips, social activities, and special events off-campus.

RELATED PROCEDURES:
School Board Policy JFC, Student Conduct.
School Board Policy EU, Workplace Safety Policy.
School Board Policy IICA, Field Trips.
Superintendent’s Regulation IICA, Field Trips
Standard Operating Procedure, Off-Campus and Contracted Bus Service

DETAILED PROCEDURES:
1. Plan any trip or activity carefully. Schedule the time and date at the off-campus site.
2. Complete the trip or activity request form and obtain principal authorization.
3. Enlist the appropriate number of chaperones as outlined below:
   a. 1 to 10 Elementary and Middle School Trips and Overnight Trips
   b. 1 to 25 High School Day Trips
   c. 1 to 15 High School Overnight Trips
4. Obtain information on the security provisions at off-campus sites.
5. Provide for the special needs of students.
6. Advise students of the trip or event in a timely manner.
7. Distribute trip permission forms to elementary students for parent signature. (Link form.)
   Distribute the Field Trip Agreement of Understanding to middle and high school students for the required student and parent signatures. (–Link form "orange card"). "Orange" cards are to be used for all overnight trips at all levels.
8. Schedule a meeting for parents and students for overnight trips.

9. Require an emergency medical release for all overnight trips, including a photocopy of insurance information.

10. Provide a trip itinerary for parents.

11. Review the appropriate attire and proper demeanor for the specific occasion.

12. Review the school conduct code and behavior expectations which are in force for all school trips, activities, and events.

13. Call the roll before the bus departs and provide a list of participating students to the school office. Call the roll each time students get onto the bus.

14. Provide a cellular telephone from the transportation department to bus drivers for long-distance trips.

15. Report any emergency to the school principal or law enforcement agency as appropriate.

16. Insure that students are picked up by parents or have other authorized means of transportation home at the end of the trip if it takes place beyond the hours of the regular school day. A chaperone must remain with the students until all individuals have been picked up by a parent or guardian.

 ISSUED: May 15, 1995
 REVISED: June 24, 2014
 REISSUED: January 31, 2001

 LEGAL REFERENCE: Code of Virginia §8 VAC 20-131-260

 Approved:

 Eric Williams, Ed.D.
 Division Superintendent
RESPONSE TO CRIMINAL ACTIVITY

The following criminal activities could occur on school grounds or at school sponsored events off campus:

- Assault/Battery
  - Physical
  - Sexual
- Intimidation/Threats/Extortion/Hazing
- Weapons Possession
- Theft
- Vandalism
- Drug Related Activities
- Kidnapping or Abduction
- Bomb Threat
- Homicide/Suicide

School administrators, faculty and staff shall respond to incidents of criminal activity by following the York County School Division Student Conduct Code, Board Policies, Superintendent’s Regulations, and Standard Operating Procedures. Parents/guardians shall be contacted by the principal or his/her designee. In cases of homicide or kidnapping, the notification of parents/guardians should be coordinated with Sheriff’s Department personnel.

As appropriate, the principal or his/her designee shall contact the York County Sheriff’s Department. Theft reports should be on incidents over $100 and vandalism repair estimates should exceed $100. A report and/or a recommendation for the initiation of a warrant/petition may be made.

ISSUED: May 15, 1995
REVISED: June 24, 2014
REISSUED: January 31, 2001

LEGAL REFERENCE: Code of Virginia §8 VAC 20-131-260

Approved:

Eric Williams, Ed.D.
Division Superintendent
BUILDING AND GROUNDS SAFETY/SECURITY

It is the responsibility of the building principal or designee in the principal’s absence to maintain the safety and security of the learning and work environment.

A vital aspect of the principal’s supervision of this responsibility will include:

Identification of:
1. School-based School Board Employees
2. Division-based School Board Employees
3. Visitors

Communication (where financially feasible)
1. Radio contact where appropriate
2. Classroom to office communication
3. Video Camera surveillance
4. Emergency external communication (e.g. cellular phones)

After hours building use:
1. Notification of appropriate personnel
2. User information packet (maps,...)
3. Provision of security as defined by school per event to be submitted via Building Use Request to Director of Information Technology as appropriate

Interior/Exterior Building Safety:
1. Proper signage
   a. No trespassing
   b. Establish a definite vehicular traffic pattern for all visitors
   c. Display building access/School Board policy signage as appropriate

2. Zone alarms
3. Illumination
   a. Interior in the event of power failure
   b. Exterior from dusk to dawn

4. Access
   a. Limit vehicular access to school property
   b. Establish a definite pedestrian traffic pattern
   c. Blockade access to unoccupied school property.
ISSUED: May 15, 1995
REISSUED: January 31, 2001; June 24, 2014

LEGAL REFERENCE: Code of Virginia §8 VAC 20-131-260

Approved:

Eric Williams, Ed.D.
Division Superintendent
BACKGROUND CHECK OF NON-PARENT VOLUNTEERS AND STUDENT TEACHERS

The following procedure will be followed whenever a non-parent seeks to volunteer in the York County School Division (YCSD).

I. Non-Parent Volunteer Application

A. Any person who is not a parent or a legal guardian of a current YCSD student and who wishes to volunteer in a school will be required to complete a York County School Division Volunteers in Public Schools Statement of Interest, provide two references, and agree to a background check. The background check will be conducted by the Virginia State Police, according State Police Form SP-230 (Name Search Request Form for Criminal History Record and/or Sex Offender and Crimes Against Minors Registry Search).

B. Building principals shall prescreen the application of a prospective non-parent volunteer by checking the Sex Offender Registry Web Site. If the non-parent volunteer is listed on this web site, the building principal shall inform the applicant that they may not volunteer in a Division school. If the applicant’s name is not listed on the Sex Offender web site, the building principals shall sign the application and forward it to the Associate Director of School Administration. The Associate Director of School Administration will review the application, make contact with references, and review the application with building administrators, as needed.

C. All costs associated with the checks will be borne by the school division.

D. Background checks will not be required for non-parent volunteers who have been screened previously by their sponsoring organization (e.g., Big Brothers/Big Sisters, U.S. military members).

1. The Big Brothers/Big Sisters or other sponsoring organizations will be required to provide the school division with written verification that they have on file a background check of the prospective non-parent volunteer.

2. Due to extensive Department of Defense background checks relating to security clearances, non-parent military personnel and other federal employees with security clearances are exempt from the background check provisions of this policy. Acceptable documentation shall include a copy of security clearance documents or a letter indicating security clearance from the non-parent volunteer’s commanding officer. These volunteers are required to complete and submit the York County School Division Volunteers in Public Schools Statement of Interest and Application.

II. Student Teacher/Graduate Assistant Application

University students wishing to complete their clinical experiences in the York County School Division or work through a financial aid plan must submit evidence of an acceptable background
check (State Police Form SP-230: Name Search Request Form for Criminal History Record and/or Sex Offender and Crimes Against Minors Registry Search) prior to the start of the clinical experience or work.

III. Approval and Notification

A. The Associate Director of School Administration will, upon receipt of the results of the criminal history check and Child Abuser/Neglector Registry check if applicable, provide to the applicant, in writing, the final approval/disapproval of the application to volunteer. A copy of this letter will remain on file in the School Board Office with the appropriate criminal history check results attached. A copy of the letter will also be sent to the school(s) at which the non-parent applicant wishes to volunteer. Files will be maintained and purged following accepted record-management protocols.

B. The Human Resources Licensure Specialist will keep written verification of background checks for student teachers on file. The SBO Building Manager will keep written verification of background checks for graduate assistants on file. Files will be maintained and purged following accepted record-management protocols.

C. Pending receipt of the results of the aforementioned background checks, non-parent volunteers will not be permitted to volunteer unsupervised in any capacity in the York County School Division, nor will university students be allowed to work unsupervised in any capacity in the York County School Division.

ISSUED: July 1, 2002
REISSUED: August 6, 2002; June 24, 2014
LEGAL REFERENCE: Code of Virginia, 19.2-390.1

Approved:

Eric Williams, Ed.D.
Division Superintendent
IDENTIFICATION OF VISITORS IN SCHOOL BUILDINGS

1. Identification Badges Required - Any person who is neither a faculty member nor a staff member of a school will be required to display a York County School Division photo identification badge or a visitor’s badge while in the school building or at peripheral school division sites during the regular school day. Peripheral sites include the School Board Office, Operations Center, and York High School Annex.

2. School Board Support Staff and School Board Office Staff – School Board employees are required to wear a YCSD photo identification badge in accordance with S.REG.-EU-8.

3. County Employees Doing Grounds Maintenance Work - York County employees working on school grounds are identified by their York County Maintenance Staff uniforms and by the York County trucks carrying them and their equipment. While doing grounds maintenance work, York County employees need no other identification. However, should they need to move about inside the school building for any reason, they will be required to follow the procedures in paragraph 4 below.

4. Members of the General Public - For purposes of this paragraph, a member of the general public includes parents, tradesmen working on installed equipment, delivery drivers, and any person who comes in the school building for some purpose which would require that person to move about either inside the school or on school grounds.
   a. Signs posted at each entrance to a school shall direct each member of the general public to check into the school office prior to moving further into the school or walking about on school grounds.
   b. The individual who wishes to proceed into the school will enter the appropriate information to complete the data required by the VISITOR BADGE RECORD SHEET, Form O-GS-15 of this Superintendent’s Regulation. Identification may be asked of the visitor before the issuance of the Visitor Badge.
   c. Upon verification of the purpose of the visit, the member of the general public will be issued a stick-on VISITOR identification badge by a member of the school’s office staff.
   d. Upon completion of the visit, the member of the general public will return the VISITOR badge to the school office and sign out.

5. Staff Responsibilities
   a. The school principal will be responsible for:
      1) organizing and training school office staff to administer the specified procedures for processing visitors to the school;
2) supplementing, as necessary for the school’s parents and supporters, the public information published by the Communications Coordinator on the VISITOR identification badge requirement;

3) educating faculty and staff members to direct any stranger not wearing a VISITOR identification badge to go to the school office to obtain the badge;

4) educating students to alert teachers and staff to the presence of a stranger without a VISITOR badge.

b. The school principal is authorized to make appropriate arrangements for dealing with routine visits of people who satisfy the definition of members of the general public but for whom specific application of these procedures would constitute an undue burden, e.g., the bread or milk vendor, motorist experiencing problems, parent waiting for a child.

c. The school principal will advise the Director of Maintenance and Facilities Support on the location of signs at the school’s entrance to direct members of the general public to the school office.

d. Principals can order visitor badges, Exhibit B of this Superintendent’s Regulation, from the Manager of Warehouse and Property Services.

ISSUED: October 17, 1994
REISSUED: May 15, 1995; January 31, 2001; December 10, 2001
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
IDENTIFICATION OF SCHOOL BOARD EMPLOYEES

1. Photo Identification Badges Required - All employees of the York County School Board must display a York County School Division photo identification badge while on York County School Division property during the regular school or work day. This applies to the normal work site or other sites visited by the employee. Staff will display the identification badge at other times when working at a York County School Division site and/or on the grounds.

2. Issuance of the Photo Identification Badge – School Board employees shall receive a photo I.D. badge at the time of employment. Staff members will pay for a replacement badge when the original is lost. The cost will be determined at the beginning of each fiscal year by the Chief Human Resources Officer. The Chief Human Resources Officer has the authority to waive the charge for a replacement badge when good cause for the waiver exists.

3. Manner of Display – Badges will be readily visible to the casual observer. Badges can be worn on a lanyard around the neck, a retractable lanyard that readily displays the badge when retracted, or on a clip when a lanyard poses a safety risk (maintenance, special education, teachers in the classroom with the consent of the building principal, information services staff, etc.).

Issued: December 10, 2001
Reissued: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
LOCK-OUT/TAG-OUT PROGRAM

SECTION 1

I. SCOPE

This regulation, required by 29 CFR 1910.147, covers the servicing and maintenance of machines and equipment in which unexpected start up or release of stored energy could cause injury to employees.

II. PURPOSE

The York County School Division’s lock-out/tag-out program is designed to ensure that employees are protected from the hazards of unexpected start up or release of stored energy. This regulation details specific procedures for affixing appropriate lock-out or tag-out devices to isolate or disable machines or equipment to prevent start up or release of stored energy. This program has been developed to help ensure protection of employees and to maintain compliance with OSHA standard 1910.147, Control of Hazardous Energy. These instructions establish the minimum requirements for the lockout or tag-out of energy isolating devices whenever maintenance or servicing is done on machines or equipment. The procedure shall be followed to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform any servicing or maintenance. These procedures apply whenever an employee is to remove or bypass a guard or other safety device, and where the unexpected startup of the machine or equipment or release of stored energy could cause injury or death.

III. GENERAL

A. Energy Control Program

When support staff is engaged in work which involves equipment with stored energy this lock-out/tag-out program shall be followed.

1. TAGS

The use of tags to prevent the unexpected startup of equipment shall generally be restricted to those controls which cannot be locked or safeguarded by any other method. When the energy isolating devices are not lockable, tag-out may be used. When tag-out is used, and the energy isolating devices are lockable, the tag-out device shall be attached at the same location that the lock-out device would have been attached.

The authorized employee installing the tag-out device will notify affected employees of the equipment or machine that is tagged. Tags will bear the word "DANGER" and "DO NOT
OPERATE" or "DO NOT USE" printed on both sides of the tag. Tags will be attached to equipment or machinery, which has been locked out or which has been deactivated and cannot be locked out or otherwise safeguarded. Tags should be dated and signed by the person(s) applying the lock and/or tag. The tag format is shown on Attachment A to this regulation.

2. LOCKS
Locks are key operated padlocks. Lock-out devices are those openings in equipment control handles or switches which can accept a padlock. Multiple lock-out devices are those devices which have spaces for the application of more than one lock. This device is locked into the lock-out opening, and subsequent locks prevent removal of the device.

Authorized employees will be assigned their own individual lock-out/tag-out kits by the appropriate manager. Locks will not be removed by anyone other than the authorized employee who placed it on the control unless a written procedure in this program is followed. Employees working on the same machine will each use their own lock.

3. EXCEPTIONS
Minor tool changes and adjustments, and other minor servicing activities, which take place during normal operations are not covered by this standard. For the purpose of this program the lock-out/tag-out standard does not apply to the following:

Work on cord and plug connected electric equipment for which exposure to the hazards of unexpected startup of the equipment is controlled by unplugging of the equipment from the energy source.

Hot tap operations involving transmission and distribution systems for substances such as gas, steam, or water when they are on pressurized pipelines, provided the Associate Director of Maintenance and Facilities Support demonstrates that the system service is essential or shutdown of the system is impractical.

SECTION 2

I. FACILITY SURVEY

The Occupational Safety and Regulatory Compliance Specialist is responsible for surveying the facilities and identifying machines, equipment and energy sources covered by this program. In addition, the Occupational Safety and Regulatory Compliance Specialist will review methods of control.

Hazardous can include but not be limited to:

• Electrical energy whether on line or stored in capacitors
• Mechanical energy such as point of operation, cycling of parts or stored such as found in compressed springs
• Stored energy such as elevated machine members or rotating flywheels
• Hydraulic energy whether from the cycling of parts or the pressure of fluid
• Pneumatic energy whether from cycling of parts or pressure of gas
• Liquid gas systems whether from cycling of parts or pressure of gas
• Steam energy whether from heat, pressure or the cycling of machine parts
• Thermal energy whether from hot water, chemicals or machine surfaces

SECTION 3

I. WRITTEN PROCEDURES

These written procedures document those techniques that will be utilized for the control of hazardous energy and the means to enforce compliance. The following specific procedures are detailed in this section of the written program.

Step 1. Preparation for Shutdown
The authorized employee will have knowledge or shall be trained to understand the hazards of the energy, and shall know the methods to control it. The authorized employee will notify all affected employees of the start of lock-out/tag-out procedures.

Step 2. Equipment Shutdown
If the machine or equipment is in operation, it will be shut down by the normal stopping procedure (depress the stop button, open switch, close valve, etc. at the control panel).

Step 3. Equipment Isolation
Turn off or close any energy control so that the machine or piece of equipment is isolated from the energy source. Ensure that the equipment is disconnected from the energy source and that all sources that could activate the machine are controlled. Check to see that no personnel are exposed. Then verify the isolation of the equipment by operating the push button or other control to make certain the equipment will not operate.

Step 4. Control of Stored Energy
Stored or residual energy (such as that in capacitors, springs, hydraulic systems, air, gas, steam or water pressure must be dissipated or restrained. An example of the control of stored energy might include but not be limited to:

• Inspect the system to make sure all parts have stopped moving
• Install ground wires Relieve trapped pressure
• Release the tension of spring, or block the movement of spring driven parts
• Block or brace part that could fall because of gravity
•Block parts in hydraulic and pneumatic systems that could move from loss of pressure
•Bleed the lines and leave vent valves open
•If stored energy could become dangerous, monitor it to make sure it stays below hazardous levels.
•Verify the isolation of the machine by attempting to restart it. When it is confirmed that the machine is isolated, return all controls to the off position.

Step 5. Application of Lock-out/Tag-out Devices
Lock-out or tag-out all energy isolating devices. Only the standardized devices supplied are to be used for lock-out/tag-out. Each individual must have his/her own lock and key which will only open that lock set. Master keys will only be present under unusual conditions as defined by the supervisor. All master keys will be under the strict control of the department supervisor.

When more than one authorized employee is working on a machine or piece of equipment, each employee in the work crew must attach his/her own personal lock to the energy control device. More than one employee can lock-out a single energy isolating device by using a multiple lock hasp. When a repair extends through a shift change, the departing employee will remove their lock only when the arriving authorized employee is present to install their lock. Once the individuals lock is in place, test the power disconnect to ensure that it cannot be turned back on.

If tags are used instead of locks, they should be attached to the same point as the lock, or as close as possible. Tags shall be filled out completely, including authorized employee name, date and signature.

Step 6. Testing Equipment After Lock-Out/Tag-Out
There may be special situations where lock-out/tag-out devices must be temporarily removed from the controls. When machines or equipment is energized to test, remove locks or blocks and the following sequence of actions will be followed:

a. Check the machine or equipment and the immediate area around the machine to ensure that tools, materials and other nonessential items have been removed.
b. Check the work area to ensure that all employees have been safely positioned or removed from the area.
c. Verify that controls are in neutral.
d. Remove the lock-out devices and reenergize the machine or equipment. Each lock-out/tag-out device will be removed from each energy isolating device by the employee who applied the device.
e. Shut down the machine or equipment, deactivate and secure or release stored energy and replace locks and/or tags.

Step 7. Restoring Equipment to Service
When the servicing or maintenance is completed and the machine or equipment is ready to return to normal operating condition, the following steps will be used:

a. Check the work area and ensure all employees have been safely positioned or removed from the area.

b. Remove lock-out/tag-out devices and reenergize the machine or equipment.

c. Notify affected employees that the servicing or maintenance is completed and that the machine or equipment is ready for use.

II. TRAINING

The following York County School Division employees who are exposed to such hazards will be provided training to ensure that the purpose and function of the energy control procedures are understood:

- Maintenance Staff
- Custodial Staff
- Warehouse Staff
- Transportation Department Staff
- Food Services Staff

Employees will be provided training in the recognition of applicable hazardous energy sources in the workplace. This shall include the energy control procedure relevant to the employees duties. Additional training shall ensure that employees understand that tags DO NOT provide the same and acceptable level of protection than that of a lock-out device (lock and key).

Managers shall maintain lists of their subordinates who are designated as "the qualified employee" in Section 3 of this regulation. New employees will be trained prior to being required to utilize any lock-out/tag-out device. In addition, the lock-out/tag-out program will be reviewed annually by the Occupational Safety and Regulatory Compliance Specialist.

ISSUED: May 20, 1998
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ACQUISITION OF COMPUTER HARDWARE, PERIPHERALS AND SOFTWARE

This document regulates the acquisition whether by procurement, loan, trial or the acceptance of donations of computer hardware, associated peripherals and software for instructional and administrative purposes.

DEFINITIONS:

1. Procurement Document – any instrument used for the procurement of computer hardware, associated peripherals and software including but not limited to York County Purchase Requisitions and School Purchase Requisitions. Additionally, memoranda that provide a written description of the intended purchase and submitted by the Principal or Director for approval of procurements that do not generate standard documentation will constitute a Procurement Document. Examples of such purchases include but are not limited to purchases made via purchasing cards (P-cards), standing purchase orders, blanket purchase orders, purchases from vendors made with a school check drawn on an activities fund account, or by other means.

2. Funding Source – any source of money used for the procurement of computer hardware, associated peripherals and software.

3. Software – any software application including but not limited to purchased software that is installed on a local computer or in the virtual environment, or any web-based service whether or not the service includes a plug-in.

BACKGROUND

The York County School Division (YCSD) operates an extensive enterprise-class network. Additionally, the school division has widely deployed various virtual technologies including virtual desktop infrastructure (VDI). These technologies offer many benefits to the students, teachers, administration and staff of YCSD. Not all computer hardware and software will necessarily work as expected in this complex environment. In order to ensure that purchases are compatible with the YCSD network and operating environment all purchases must be approved by Information Technology (IT) regardless of the funding source. Computer hardware, associated peripherals and software will not be acquired without the review, evaluation and endorsement of Information Technology. Computer hardware, associated peripherals and software acquired by School Board employees in violation of this regulation may not be supported by Information Technology or with funds from the operating budget.

I. PROCUREMENT OF TECHNOLOGY PREVIOUSLY TESTED AND APPROVED BY INFORMATION TECHNOLOGY

A. Instructional Technology

Technology requests from schools will be in accordance with the SOP titled School-Based Educational Technology Adoption Process. The principal will submit the recommendations of the School-Based
Technology Review Committee (SBTRC) for hardware and/or software to the Department of Information Technology. For technology requests from instructional departments other than schools, the departmental director will submit recommendations for hardware and/or software to the Department of Information Technology.

Upon endorsement, the Department of Information Technology will notify the principal or director that the procurement may proceed.

B. Administrative Technology
For technology requests from operational departments, the departmental director will submit recommendations for hardware and/or software to the Department of Information Technology. Upon endorsement, the Department of Information Technology will notify the director that the recommended procurement may proceed.

II. PROCUREMENT OF TECHNOLOGY NOT PREVIOUSLY TESTED AND APPROVED BY INFORMATION TECHNOLOGY

A. Instructional Technology
Technology requests from schools will be in accordance with the SOP titled School-Based Educational Technology Adoption Process. The principal will submit the recommendations of the School-Based Technology Review Committee (SBTRC) for hardware and/or software to the Department of Information Technology. For technology requests from instructional departments other than schools, the departmental director will submit recommendations for hardware and/or software to the Department of Information Technology. It is the responsibility of the school or department making the recommendation to provide sample hardware and/or software for testing as well as to provide the contact information for the appropriate technical support for the hardware and/or software product(s). Further, it is the responsibility of the school or department making the recommendation to ensure that the term the sample hardware and/or software is made available will be at a time when Information Technology has the available resources to test the product(s). Further, it is the responsibility of the school or department making the recommendation to coordinate with the vendor of the product(s) any extension to the term and to return all sample product(s) when the testing is complete.

Upon endorsement, the Department of Information Technology will notify the principal or director that the recommended hardware/software will work in the YCSD network environment and that the procurement may proceed.

B. Administrative Technology
For technology requests from operational departments, the departmental director will submit recommendations for hardware and/or software to the Department of Information Technology. It is the responsibility of the operational department making the recommendation to provide sample hardware and/or software for testing as well as to provide the contact information for the appropriate technical support for the hardware and/or software product(s).
support for the hardware and/or software product(s). Further, it is the responsibility of the department making the recommendation to ensure that the term the sample hardware and/or software is made available will be at a time when Information Technology has the available resources to test the product(s). Further, it is the responsibility of the department making the recommendation to coordinate with the vendor of the product(s) any extension to the term and to return all sample product(s) when the testing is complete.

Upon endorsement, the Department of Information Technology will notify the director that the recommended hardware/software will work in the YCSD network environment and that the procurement may proceed.

III. DONATIONS

Principals and Directors shall accept donations in accordance with Standard Operating Procedure, Acceptance of Gifts, Bequests and Donations. Donated equipment and software that does not comply with the Division’s technology plan or which is not compatible with the division’s enterprise-class network or virtual technologies will not be supported by Information Technology staff or moneys from the operating budget. Donations of computer hardware, associated peripherals and software may be utilized in any manner deemed practical by the Principal or Director. When non-supported donations malfunction they shall be disposed of in accordance with Standard Operating Procedure, Annual Auction of surplus property of the County School Board of York County, Virginia.

ISSUED: March 13, 1996
REISSUED: May 18, 1998; November, 2012
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
**NETWORK SERVICE USE BY STUDENTS**

The Internet and other similar local area network, wide area network and/or online computer based resources (Network Services) open up a vast array of information to students. The York County School Division’s current Internet availability results from a combined investment of time, money, and commitment by York County School Board employees.

While Information Technology (IT) attempts to filter and restrict access to inappropriate material on the network, the nature of the technology prevents absolute success in this effort. Consequently, parents should understand that students may encounter material on the YCSD network, or the Internet that parents and/or students may consider inappropriate (pornography, vulgarities, statements of belief that some may consider immoral or offensive, etc.) despite safeguards and obstacles imposed to prevent such access. It is the student’s responsibility not to pursue material that could be inappropriate for an educational setting. Students are expected to demonstrate ethical and moral behavior in the use of Network Services as they would in the use of any other material used in the school division.

Students must realize that the opportunity to use the network and the resources available through it goes hand in hand with the responsibility to use computers and other technologies properly, and failure to do so may result in loss of privilege and/or other appropriate disciplinary action as noted in the Student Handbook and Student Conduct Code, as approved by the School Board of York County.

Use of Network Services and the Internet is a privilege not a right. The Division’s computer equipment and communications services may not be used to send, receive, view or download illegal material via the Internet. Transmission of any material in violation of federal or state regulation is prohibited and will be dealt with according to criminal statutes.

Students wishing to use Network Services within the York County School Division must complete a Network Services/Internet Acceptable Use Policy agreement that is part of the Student Handbook. Students under the age of 18 years must have a parent or legal guardian’s signature in order to use Division Network Services. Detailed guidance and the appropriate signature form are included in the annual student handbook.

Signature/signatures on that form indicates agreement to the conditions imposed for network and Internet access and indicates, further, that disciplinary action and/or appropriate legal action is recourse for misuses or abuse of Network Services or the Internet.
Restrictions for Students:

Students are expressly prohibited from using the Internet for access to pornography and for instructions on making explosives. Additionally, while using the Internet, employees are expressly prohibited from using any language the employee would not use in person and that is otherwise prohibited by local, state, and federal law. Examples of this type of language include threats to life, limb or personal property, or language that would be taken as sexual harassment or as a sexual advance.

Students are issued a personal password for use in accessing the network services from YCSD facilities for the purposes supporting the program of studies. The issued password is for the exclusive use of the student to whom that password is issued. Under no circumstances should the password be shared with other students, teachers, substitute teachers, school staff or administration with the exception of IT staff in the performance of their official duties. Additionally, students shall take appropriate steps to secure computer workstations by locking or logging off whenever they leave the immediate area of the workstation, and by logging off at the end of each and every day or when the student knows that the student will not be returning to that workstation before the end of the day or before another student or staff member may need to use the workstation.

Violation of these restrictions will subject the student to disciplinary action, up to and including suspension or expulsion.

Students are advised that their use may be monitored at any time in accordance with School Board Policy File IIBEA/GAB, Acceptable Computer Use.

ISSUED: March 14, 1996
REVISED: June 24, 2014
REISSUED: September 17, 1997; November 2, 1998; August 16, 1999; October 25, 2000; January 31, 2001
LEGAL REFERENCE: Code of VA §22.1-70.2

Approved:

Eric Williams, Ed.D
Division Superintendent
NETWORK SERVICE USE BY EMPLOYEES

For purposes of this Superintendent’s Regulation, employees include but are not limited to employees of the York County School Board (Board), individuals under the employ of a company or organization under contract with the Board, students performing work as part of the COE or IT Intern programs, whether paid or un paid, individuals under contract with the Board, or any volunteer or guest using the YCSD network services.

The Internet and other similar local area network, wide area network and/or online computer based resources (Network Services) open up a vast array of information to employees. The York County School Division’s (YCSD) current Internet availability results from a combined investment of time, money, and commitment by BOARD employees. While Information Technology (IT) attempts to filter and restrict access of inappropriate material on the Network Services, the nature of the technology prevents absolute success in this effort. Consequently, employees should understand that users may encounter material on the YCSD network, and/or the Internet that an employee may consider inappropriate (pornography, vulgarities, statements of belief that some may consider immoral or offensive, etc.) despite safeguards and obstacles imposed to prevent such access. It is the employee’s responsibility not to pursue material that could be inappropriate for an educational or business setting. Employees are expected to demonstrate ethical and moral behavior in the use of Network Services as they would in the use of any other material used in the school division. Under no circumstances shall an employee create a network and make said network available to other employees or students within YCSD facilities.

Restrictions for Employees:

Employees are expressly prohibited from using the Internet for access to pornography and for instructions on making explosives. Additionally, while using the Internet, employees are expressly prohibited from using any language the employee would not use in person and that is otherwise prohibited by local, state, and federal law. Examples of this type of language include threats to life, limb or personal property, or language that would be taken as sexual harassment or as a sexual advance.

Employees are issued a personal password for use in accessing the network services from YCSD facilities for the purposes of conducting Board business. The issued password is for the exclusive use of the employee to whom that password is issued. Under no circumstances should the password be shared with other employees to include substitute teachers or students with the exception of IT staff in the performance of their official duties. Additionally, employees shall take appropriate steps to secure computer workstations by locking or logging off whenever they leave the immediate area of the workstation, and by logging off at the end of each and every day or when the employee knows that the
employee will not be returning to that workstation before the end of the day or before another employee or student may need to use the workstation.

Violation of these restrictions will subject the employee to disciplinary action, up to and including termination.

Employees are advised that their use may be monitored at any time in accordance with School Board Policy File EZ

ISSUED: October 25, 2000
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D
Division Superintendent
SECURITY OF NETWORK AND PERSONAL COMPUTER RESOURCES

The York County School Board’s computer and network resources enable employees to accomplish work assignments effectively and efficiently, thereby supporting the fulfillment of the School Board’s mission and goals. However, by their nature network and computer resources are exposed to inappropriate and malicious uses. Consequently, following specified security measures for the network is essential to realize optimal performance of the system.

By logging on to a workstation, the employee confirms to the network the right to use specific network resources. Without a valid log-on name and password, a person could not send e-mail messages or print a document to a network-controlled printer and has more restricted access the Internet.

All users of School Division workstations and network resources shall:

- lock the workstation whenever temporarily away from your desk in the course of the school/business day,
- log off whenever you will be away from your desk for an extended period of time, and
- log off and shut down at the end of school/business day.

ISSUED: January 4, 1999
REISSUED: February 26, 2004
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR REVIEWING A SCHOOL BOARD EMPLOYEE’S SUITABILITY FOR CONTINUED USE OF A SCHOOL BOARD VEHICLE FOLLOWING AN ACCIDENT OR SUMMONS FOR A MOVING TRAFFIC VIOLATION

York County School Board employees, both licensed and non-licensed, are responsible for the safe operation of School Board vehicles which may be assigned to them. An accident or moving traffic infraction involving a School Board vehicle can raise serious concerns regarding the employee’s continued use of School Board vehicles. The employee’s suitability for continued use of a School Board owned vehicle will be decided prior to that employee’s next use of a School Board vehicle. If facts indicate a negligent or reckless use of the vehicle, the Superintendent will decide whether the employee will have further access to School Board vehicles.

I. INITIAL ACTION

A. An employee driving a School Board vehicle shall immediately report receiving a summons (traffic ticket) for a moving traffic violation and any accident while driving a School Board vehicle to the Associate Director of Transportation and Warehouse Operations.

B. In the event of a vehicle accident in which the employee received no traffic summons, the Associate Director of Transportation and Warehouse Operations will recommend to the Chief Operations Officer that the employee either continue driving School Board vehicles, as assigned, or be temporarily denied further use of a School Board vehicle.

C. Associate Director of Transportation and Warehouse Operations shall notify the appropriate director or school principal when an employee’s authority to drive a School Board vehicle has been temporarily suspended pending final action.

II. REVIEW PANEL

A. Within 5 working days of receiving notice of an accident or traffic summons, a panel consisting of the Chief Operations Officer, Employee’s Supervisor, and the Associate Director of Transportation and Warehouse Operations will convene to formulate a recommendation on the employee’s further authority to use School Board vehicles.

B. The Associate Director of Transportation and Warehouse Operations will notify the employee of the Panel’s meeting time and place and will advise the driver of the option to appear before the panel to present the driver’s description of the incident.
C. The Panel will review all the information on the incident provided by Associate Director of Transportation and Warehouse Operations and will hear any statements the driver or the driver’s representative may choose to make.

D. After reviewing the facts and/or statements made, the Panel will deliberate on the seriousness of the incident and suitability for continued use of School Board vehicles.

E. Upon completing its deliberations, the Panel, by majority vote, will make one of the following recommendations:

1. Terminate the employee immediately (for extreme cases where driving is a requirement for employment).
2. Reassign the employee to duties involving no driving until completion of court action.
3. Permanently revoke the employee’s authority to use School Board vehicles.
4. Restore the employee’s authority to use School Board vehicles after completing appropriate refresher training specified by the panel.

F. The Chief Operations Officer will forward the panel’s recommendation to the Chief Human Resources Officer for submission to the Superintendent.

III. ACTION ON RECOMMENDATION TO TERMINATE OR SUSPEND

A. When the panel recommends dismissal or suspension without pay, the Chief Human Resources Officer will conduct a pre-termination hearing according to law.

B. Upon approval of the panel’s recommendation by the Superintendent, the Chief Human Resources Officer will implement approved action through the appropriate principal/director/manager.

IV. FINAL ACTION ON REASSIGNED OR SUSPENDED EMPLOYEE

A. If an employee is found guilty in General District Court or Circuit Court upon appeal of a General Court conviction, the Review Panel will reconvene to determine further action pursuant to II.E above. The Chief Operations Officer will forward the panel’s recommendation to the Chief Human Resources Officer for submission to the Superintendent for approval.

B. If a reassigned employee is found not guilty at trial of a traffic summons, the Review Panel will reconvene to review the case and then recommend Superintendent’s action on the employee’s status.

C. Implementation of the Superintendent’s action on the recommendation shall comply with School Board Policy Manual File GDB for non-licensed employees.
V. ACTION ON RECOMMENDATION TO REQUIRE REFRESHER TRAINING

A. If an employee is required to complete appropriate refresher training, it will become the employee’s responsibility to make themselves available to the division’s driver trainer for appropriate training as prescribed by the review panel.

B. Upon successfully completion of this requirement, the Associate Director of Transportation and Warehouse Operations will notify the Chief Human Resources Officer. A letter documenting the completion of this requirement will then be placed in the employee’s permanent personnel file.

ISSUED: August 24, 1999
REVISED: June 24, 2014
REISSUED: August 16, 2000; July 1, 2002; March 11, 2004

APPROVED:
Eric Williams, Ed.D.
Division Superintendent
SECTION F
BAILEY FIELD MANAGEMENT PRACTICES

I. Management Responsibilities

A. Each athletic director or assistant athletic director is the field manager for a home event at Bailey Field. Accordingly, the home team athletic director shall be in attendance and shall be responsible for enforcement of the practices listed in this Superintendent’s Regulation.

B. When for good cause an athletic director or assistant athletic director is unable to attend a home event on Bailey Field, the school principal shall designate in writing another school faculty member to serve as field manager for the particular home event. The school principal shall ensure the designee is trained on the below practices and procedures prior to the date of the home event. In every case, a copy of the designation shall be forwarded to the Associate Director of Maintenance and Facilities Support for reference purposes.

C. The Director of School Administration will publish a schedule of events for Bailey Field. School Division Maintenance staff will open and secure Bailey Field on game days published in the schedule and will ensure support services such as restroom facilities, public address system, and field lighting are fully operational for each game. Goal post cushions, sideline chains and sideline markers will be provided by staff responsible for field preparation.

II. Security Arrangements

A. Prior to the beginning of each football season, the athletic director, with input from the home school principal, will arrange with the York/Poquoson Sheriff’s Office the name and telephone number of the Deputy Sheriff who will be the point of contact for principals and athletic directors regarding security arrangements for events at Bailey Field during that school year. The York/Poquoson Sheriff’s Office, will inform the high school principal of the fee per game per deputy to be charged for security services.

B. The athletic director will inform the York/Poquoson Sheriff’s Office the point of contact of the deputies needed for a particular game. If the point of contact believes additional deputies should be on hand, he/she will contact the Director of School Administration to resolve the issue. The home team’s athletic director will also inform the point of contact regarding games canceled or postponed by inclement weather as soon as that decision is made. The point of contact will also be notified of any playoff games scheduled at the end of the season as soon as the need for playoff games is verified.

C. Security staff will report to Bailey Field by 6:30 p.m. of the game day.
III. Emergency Medical Services

The athletic director will make arrangements with the York County Department of Fire and Life Safety, similar to those made with the York/Poquoson Sheriff’s Office described above, to ensure emergency medical services are available for each game at Bailey Field.

IV. Parking Within the Bailey Field Fence

A. Band buses will park inside the transportation parking lot.

B. Visiting athletic buses will park along the access road behind the home side of the stadium.

C. Home team athletic buses will park near the entrance from the parking lot.

D. Coaches, principals and athletic directors may park either inside or outside the fence depending on space available.

E. Booster club members directly involved in setting up concessions on the home side will enter through the Cook Road gate and park along the fence near the concession stand.

F. York County Emergency/Rescue vehicles will enter through the Cook Road gate and park at the Cook Road end of the home stands.

G. Game officials will enter through the Cook Road gate and park next to the entrance to the Officials’ Changing Room.

H. The staff/faculty member assigned the responsibility of taking gate receipts is authorized to park inside the fence at an appropriate location.

V. Procedures for the Protection of the Running Track Surface

A. No person wearing cleated shoes will be allowed on the track at any time.

B. Except for emergency/rescue vehicle needed access to the field, no automobiles, trucks, skateboards, bicycles, roller blades, go carts or wheeled vehicles of any other type will be allowed on the track at any time.

C. Carpet or other protective covering will be laid on the track along the appropriate path to provide teams with ingress and egress across the track to and from the playing field.

VI. Public Address System Procedures
A. The athletic director should ensure the public address system equipment is utilized correctly and the custodial staff will secure components of the public address system to avoid theft or misuse.

B. Only pre-approved music selections may be broadcast over the public address system. Radio stations may not be broadcast over the public address system.

C. Only authorized personnel may enter the press box. Unauthorized personnel may not enter the press box at any time before, during or after a game.

VII. Junior Varsity Games at Bailey Field

Junior varsity games can be scheduled on weeknights which suit the needs of the school. When the home team athletic director provides a qualified operator, the scoreboard and clock may be used for junior varsity games.

VIII. High School Band Practice on Bailey Field

High school bands may practice on Bailey Field at the times indicated. Grafton High School—4:00 p.m. to 5:30 p.m. on day of home games; Tabb High School—4:00 p.m. to 5:30 p.m. on day of home games; York High School—Tuesday evening prior to a home game or from 4:00 p.m. to 5:30 p.m. on game days. Any exception to the schedule for bands using the field for practice is with the prior approval of the Director of School Administration.

ISSUED: October 15, 1998

REISSUED: September 15, 2000

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SECTION G
WORKPLACE CONFIDENTIALITY

This regulation applies to all administrative office employees.

Administrative office employees are expressly forbidden to reveal confidential information. Employees who violate this prohibition in handling office-related matters shall be subject to disciplinary action. Disciplinary sanctions for violating this policy may include termination of employment. Any questions concerning this policy should be directed to the Chief Human Resources Officer.

Definitions:

1. Administrative Office Employee
   All individuals who work either full or part-time in the administrative offices of school buildings, school guidance departments, the General Service and Maintenance office complex, the school division’s central office or other school division office centers. Graduate student and Cooperative Office Education employees, temporary workers and administrative interns are included in the definition of "administrative office employee."

2. Confidential
   Matters that are intended to remain private are confidential. In other words, information one is trusted not to divulge or communicate to others is confidential. In the administrative workplace, this term specifically includes information relating to program changes or personnel issues that may be revealed through conversation, written documentation, presentation, phone calls, computer mail, faxed transmission, or other means.

ISSUED: May 23, 1995
REVISED: June 1, 2011; May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
EMPLOYEE ACCOUNTABILITY FOR LOST OR DAMAGED HIGH VALUE SCHOOL BOARD PROPERTY

BACKGROUND

Expensive equipment, including but not limited to, lap top computers, digital portable radios, personal digital assistants, teacher edition textbooks and publisher provided instructional materials ("equipment"), is issued to individual School Board employees for the purpose of carrying out assigned duties.

EMPLOYEE RESPONSIBILITY

- The employee to whom such equipment is issued for purposes of employment in the York County School Division shall be personally responsible for the safekeeping of such equipment.
- If, through negligence an employee loses such equipment, the employee is subject to disciplinary action, up to and including termination.
- If through negligence the employee fails to return such equipment upon termination of employment with the School Board, the replacement cost of the item may be deducted from the employee’s last pay check if necessary.

SUPERVISOR’S RESPONSIBILITY

For purposes of this regulation, “supervisor” means: (1) Director of School Administration for school based administrators issued such equipment; (2) principal or assistant principal supervising a licensed employee issued such equipment; (3) director or associate director supervising employees issued such equipment.

- When an employee reports to the supervisor that such equipment is lost or cannot be returned prior to the last day on the job, the supervisor will conduct an investigation of the loss.
- The supervisor’s investigation shall consist of an interview with the employee, with other employees as appropriate and with other individuals who may have information regarding the loss or destruction of property.
- The supervisor’s investigation shall be completed within two working days of notice of loss. The supervisor shall report the results of the investigation to the applicable YCSD cabinet member.
- When the investigation indicates the loss or damage was a consequence of the employee’s negligence, the supervisor shall inform the employee that the supervisor has recommended disciplinary action.
• The supervisor shall inform the employee that the applicable cabinet member shall decide to accept or reject the supervisor’s recommendation within 5 working days.

CABINET MEMBER’S REVIEW AND ACTION

• The Chief Operations Officer shall review the results of an investigation submitted in cases of loss by Operations Department staff members.
• The Chief Academic Officer shall review the results of an investigation submitted in cases of loss by Instruction Department staff members.
• The Chief Financial Officer shall review the results of an investigation submitted in cases of loss by Finance Department staff members.
• The Chief Human Resources Officer shall review the results of an investigation submitted in cases of loss by Human Resources Department staff members.
• When the applicable cabinet member approves the supervisor’s recommendation, the cabinet member shall so notify the affected employee.
• When appropriate, the cabinet member may direct the supervisor to conduct further investigation of the reported loss or damage before making a decision on appropriate action.

EMPLOYEE’S RIGHT OF APPEAL

• After the cabinet member informs the employee of the planned action the employee has 3 working days to request a private meeting with the cabinet member to reconsider the decision.
• The cabinet member will forward the results of the investigation to the Chief Human Resources Officer after either the expiration of the deadline for requesting a review or after the cabinet member completes the requested review and concludes the recommended disciplinary action is appropriate.
• If the employee disagrees with the cabinet member’s decision after the interview, the employee may submit a written request, within 2 work days, to the cabinet member, for a meeting with the Division Superintendent.
• The cabinet member will forward to the Division Superintendent the file on the case.
• After the interview with the appealing employee, the Division Superintendent will return the file to the cabinet member indicting:
  1. Concurrence with the planned disciplinary action; or
  2. A need for further action; or
  3. Excusal of the employee from liability for loss/damage.
• Upon receipt of the file from the Division Superintendent, the cabinet member will take appropriate action to implement the Division Superintendent’s directions.
CHIEF HUMAN RESOURCES OFFICER

- The Chief Human Resources Officer shall prepare appropriate documentation for the approved disciplinary action and oversee any entry in the employee’s personal file as appropriate.
- The Chief Human Resources Officer shall inform the employee of the disciplinary action to be taken and delivery documents to the employee as appropriate in the case.

CHIEF FINANCIAL OFFICER’S ACTION

- In those cases where recovery of the replacement cost for the equipment is specified, the Chief Financial Officer shall direct Payroll staff to take appropriate action to initiate withholdings from an employee’s pay.
- In the case of a terminated employee who is awaiting a final pay check while the case is being processed as specified above, the cost of the lost item shall be held in escrow and not paid to the terminated employee until such time as the process is complete.
- If the employee is declared not liable for the loss, the funds held in escrow shall be paid to the terminated employee.
- If the terminated employee is held liable for the loss, the funds in escrow shall be returned to the general fund for purposes of procuring a replacement for the lost item.

RECOVERY OF LOST EQUIPMENT

In some cases, the disciplinary action may include restitution. In the event the equipment previously lost is returned to the custody of the supervisor or the supervisor’s designee, the supervisor will inform the Chief Financial Officer of the recovery if the case involved withholding money from the employee’s paychecks. The Chief Financial Officer will direct payroll staff to restore the deducted amount of pay to the employee when the next regular payroll is processed. The supervisor will ensure the employee is informed of this pending restoration of pay.

ISSUED: June 30, 2006
REVISED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
I. BACKGROUND

School Board Policy File GAA defines the work hours for licensed employees. According to that Policy, the minimum day schedule will not be less than seven hours and thirty minutes. In addition, School Board Policy defines the types of Leave available to licensed employees and the increments in which such leave can be used. Licensed employees are entitled to sick and personal leave and may use these in whole or half day increments. However, it is recognized that in certain instances, an employee may need to be absent from the job site for only a brief period of time.

Under this Regulation, flexible scheduling may be used by a licensed employee with medical or personal business requiring a non-recurring absence from the work place of two hours or less. Medical treatment or personal business requiring more than a two hours absence or medical treatment or personal business requiring repeated absences of two hours or more must be managed by the employee taking appropriate leave in increments of whole or half days.

Employees are encouraged to have their time out of the work place under this Regulation correspond to their duty/planning period to the extent possible.

II. DETAILED PROCEDURES

A. Principals or Supervisors will schedule individual employees during each work week to ensure that schools and/or departments are appropriately staffed for the operational hours specified by the School Board and the Superintendent. Principals and Supervisors have sole discretion in the approval of a flexible schedule for all licensed employees under their supervision.

B. If an employee requires an absence of two hours or less from a school or department on a random basis, the employee will be responsible for making up the absence during the week of or the week following the absence, at a time or times approved by the Principal or Supervisor.

C. Appropriate coverage must be available for a flex time absence. Appropriate coverage in a school is coverage that allows for valuable instructional activities to continue. Appropriate coverage in a department is coverage that allows for the department’s necessary activities to continue. At the Principal’s or Supervisor’s discretion, appropriate
coverage may be arranged by the Principal or Supervisor or by the employee with the Principal’s or Supervisor’s approval of the arranged coverage.

D. The Principal or Supervisor will keep anecdotal records of flexible scheduling of licensed employees in order to ensure that the flexible schedule does not conflict with the essential functions of the school or department.

ISSUED: March 19, 1996
REISSUED: July 1, 2000; May 8, 2014
REVISED: August 23, 2011

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
COMPENSATORY TIME, OVERTIME AND FLEXIBLE SCHEDULING FOR NON-LICENSED EMPLOYEES

I. BACKGROUND

A. Fair Labor Standards Act and Overtime

School Board Policy Manual (SBPM) File GAA sets normal business hours of the School Board Office and school offices and directs the Division Superintendent to ensure compliance with the Fair Labor Standards Act and authorizes the Division Superintendent to implement flexible scheduling practices.

Full time non-licensed employees are paid by annual salary rather than an hourly wage. The standard work week is 40 hours for most employees, but some staff members (including but not limited to clinic staff, paraeducators, bus drivers and food service workers) work fewer hours per week. Licensed employees generally are exempt from the Fair Labor Standards Act as are employees in management positions listed in the School Board’s annual pay plan.

Occasionally, deadlines or unusual workloads may warrant non-exempt employees working beyond regular work hours. School Board policy directs compensatory time off rather than overtime pay when an employee works in excess of the standard workweek. The School Board has specified acceptance of compensatory time off in lieu of cash overtime payment as an express condition of employment.

However, for those classes of employees identified in II.C below, School Board policy specifically directs cash overtime payment rather than payment of compensatory time off.

B. Flexible Scheduling of Work Weeks

School Board policy expressly authorizes the Division Superintendent to implement flexible scheduling.

Flexible scheduling, under this regulation, will be used to avoid exceeding 40 hours in a single week. The procedure is also available for an employee who needs no more than two hours out of the work place to deal with medical treatment or personal business needs on a non-recurring basis. Medical treatment or personal business requiring more than two hours absence or medical treatment or personal business requiring repeated absences of two hours or less must be managed by the employee taking appropriate leave.
II. DETAILED PROCEDURES

A. Flexible Scheduling

1. Principals, Directors, Associate Directors and the School Board Office Manager (hereinafter "administrator") will schedule individual employees during each work week to ensure that offices are appropriately staffed for the business hours specified by the School Board and the Superintendent.

2. When an employee requires 2 hours or less absence from the office on a non-recurring basis, and is due no compensatory time off, the employee will make up the absence during the same workweek by working before or after regular work hours at a time or times approved by the administrator. Matters requiring absence in excess of two hours or repeated absences of two hours or less must be handled by taking the appropriate type leave. Exempt employees may schedule sick or personal leave in whole or half day increments; non-exempt employees may schedule sick or personal leave in 15 minute increments. Annual leave may be used in two hour increments by exempt staff and in 15 minute increments by non-exempt staff.

3. When a supervisor knows in advance that an event or deadline will require an employee to work outside regular work hours, that supervisor will inform the appropriate administrator who shall, whenever possible, arrange that employee’s work schedule to ensure the employee works only the normal total hours for the work week.

4. An administrator may determine that appropriate coverage will be required in order to handle the employee’s normal responsibilities during the period of flex time. If such determination is made, appropriate coverage must be available in order for flex time to be approved. Such coverage may be secured by the supervisor or by the employee with the supervisor’s approval of the coverage secured.

5. In certain circumstances, the Division Superintendent may authorize the use of flexible scheduling in excess of two hours.

B. Compensatory Time Off

1. Only work outside regular work hours which is required by the administrators in II.A.1 above qualify for compensatory time off ("comp time").

2. For exempt employees, one hour of comp time will be taken for each hour worked in excess of the regular workweek. For non-exempt employees, one hour and one half of comp time will be taken for each hour worked in excess of 40 hours in a workweek.

3. Comp time will be taken during regular work hours in the same or following month in which it is earned.

4. Comp time will not accumulate beyond the month after which it has been earned. Administrators will coordinate scheduling comp time to ensure the benefit is enjoyed
during the same month in which it has been earned or the immediate subsequent month.

5. Administrators and employees shall document authorization and use of comp time.
6. Administrators will make appropriate remarks on the employee’s time record to explain comp time transactions.

C. Overtime Pay

1. For purposes of this regulation, maintenance staff shall mean building maintenance workers and automotive maintenance workers. Bus drivers, food service workers, custodians, paraeducators, maintenance staff, technical staff, secretaries and clerks who work over 40 hours in a week will be paid overtime for time worked in excess of 40 hours. Overtime pay will be one and one half times the employee’s constructive hourly wage.
2. The constructive hourly wage will be computed by dividing the employee’s annual salary by the product of multiplying the number of workdays in the fiscal year by the scheduled hours per workday.
3. Only Directors, Associate Directors or school principals are authorized to approve overtime to deal with the needs identified above, provided appropriated funds are available.

D. Time Sheets

1. Each non-licensed non-exempt employee shall make appropriate daily entries in the electronic time and attendance system
2. Administrators shall review submitted entries in the electronic time and attendance system, approve and/or correct them and forward them to Payroll Services.
3. Time records shall be retained as specified by law.

ISSUED: September 8, 1993
REISSUED: April 17, 1997; December 7, 1999; March 1, 2000; July 1, 2000; May 8, 2014
REVISED: August 23, 2011

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
PREVENTION OF SEXUAL MISCONDUCT AND ABUSE

I. APPLICABILITY

York County Public Schools’ staff, including the Division Superintendent, the School Board, teachers, other School Board employees, employees of virtual school programs, school volunteers who work with or in its schools (“Division Personnel”) and other vendors providing instructional services to the Division and/or students (“vendors”).

II. BACKGROUND

On March 24, 2011, the Virginia Department of Education adopted the “Guidelines for the Prevention of Sexual Misconduct and Abuse in Virginia Public Schools.” It was the intent of these Guidelines to assist school divisions in the development of policies and procedures which establish clear and reasonable boundaries for interactions between students, teachers and other school board employees and volunteers.

The York County School Division recognizes the importance of creating a safe learning and teaching environment for students that is free from adult misconduct. On June 17, 2011, the York County School Board adopted a Policy on the Prevention of Sexual Misconduct and Abuse. This Regulation expands upon that Policy by setting guideline boundaries for interaction and communication with students by Division Personnel and other vendors, by setting guidelines for training relating to the Policy and by establishing procedures for reporting suspected violations of the Policy.

III. RELATED POLICIES AND PROCEDURES

Policy File GBA
S.Reg. GBA

IV. PROFESSIONAL BOUNDARIES

Division Personnel and vendors providing services to the Division and/or students are obligated to observe professional staff/student relationship boundaries that are consistent with the legal and ethical duty of care that school personnel have for students. A boundary invasion is an act, omission or pattern of behavior that does not have an educational purpose, that violates such professional staff/student boundaries and has the potential to abuse the staff/student relationship. Such boundary invasions can create an actual impropriety or the appearance of an impropriety.
Examples of inappropriate boundary invasions by Division Personnel/vendors which create an actual impropriety include but are not limited to:

- Romantic or sexual relationships with a student regardless of the age of the student or the proximity in age of the adult involved;
- Showing or providing pornography or other sexually explicit material to a student;
- Any type of inappropriate physical contact with a student that might be considered Sexual Harassment under the Division’s Sexual Harassment Policy;
- Age/context inappropriate physical contact between an adult and a student;
- Being in the presence of students who are consuming alcohol, drugs or tobacco;
- Commission of a criminal sexual offense as defined in the Virginia Code.

Examples of boundary invasions by Division Personnel/vendors which could create an actual impropriety or the appearance of an impropriety include but are not limited to:

- Being alone with an individual student out of the view of others (such as in private with a closed door) without a legitimate professional need for such privacy;
- Inviting or allowing individual students to visit the home of Division Personnel/vendors;
- Comments of a sexual nature that might be considered Sexual Harassment under the Division’s Sexual Harassment Policy;
- Visiting a student’s home without a legitimate educational/instructional purpose;
- Granting of special privileges, rewards or opportunities given to a specific student beyond those customarily provided as an incentive to promote and recognize achievement;
- The giving or receiving of expensive gifts or gifts of a personal nature such as jewelry or clothing.

V. DISSEMINATION OF POLICY AND TRAINING

All Division Personnel and vendors will be provided with a copy of the Division’s Policy for the Prevention of Sexual Misconduct and Abuse at the beginning of each school year. The Policy and this Regulation shall be included on the Division website and in all student, employee and volunteer handbooks.

The Principal of each school shall ensure that the notice required by Virginia Code Section 22.1-291.3 is posted in his/her building as required by law. The Division will supply periodic training on the provisions of the Policy.

VI. REPORTING OF SUSPECTED MISCONDUCT OR ABUSE

All Division Personnel and vendors are required to report suspected abuse to local or state social service agencies or to the building Principal, or his/her designee. In addition, the Principal
of each school shall, through meetings held with staff members, ensure that all building-level Division Personnel are aware of their obligation under the Division’s Policy on the Prevention of Sexual Misconduct or Abuse to report suspected misconduct to the Principal or his/her designee.

The Division Superintendent has designated the Title IX Coordinator as the Administrator within the Division’s central office to receive and investigate reports of alleged sexual misconduct. The Title IX Coordinator will work with the Supervisor of the Division Personnel or vendor alleged to be involved in a possible incident of sexual misconduct to conduct an investigation into the alleged activity. Such investigation will include but not be limited to interviews with the complainant and witnesses, other Personnel/vendors or students who may have information about the incident and the individual alleged to have committed the misconduct.

The Division Superintendent shall notify the Superintendent of Public Instruction within 10 business days of a licensed employee resigning or being dismissed due to a conviction of a barrier offense or a founded case of child abuse and shall provide the School Board with documentation of the notification.

VII. CONSEQUENCES FOR VIOLATION OF SCHOOL BOARD POLICY GBA: ADDITIONAL PROHIBITED BEHAVIOR

The Superintendent or his/her designee shall impose appropriate disciplinary action when an investigation confirms that an incident of sexual misconduct or abuse has occurred. When considering the consequences for a violation of this Policy, the willfulness of the conduct and the nature of the conduct or communication will be considered. These consequences may include but will not be limited to the following:

- Violations involving sexual relations with a student (regardless of the age of the student or the proximity in age of the student and the adult involved) or sexual abuse of a student shall result in dismissal, prompt notification of law enforcement and social services if required by state law, and in the case of Division Personnel licensed by the Board of Education, the initiation of a complaint against the licensee.

- Violations involving willful conduct, or conduct or communication of a sexual or romantic nature not involving actual sexual relations or abuse, may include a formal reprimand, suspension, dismissal or other personnel action deemed necessary to prevent sexual abuse and protect the health, welfare, discipline or morale of students and, if warranted in the case of Division Personnel licensed by the Board of Education, the initiation of a complaint against the licensee.

- Violations determined to have been inadvertent and/or not involving conduct or communication of an abusive, sexual or romantic nature, may include counseling and training, and in cases involving multiple violations, a formal reprimand or other action deemed appropriate to prevent future violations of the Policy.
VIII. NON-RETALIATION

No Division Personnel, vendor or student may engage in reprisal or retaliation against a victim, witness or other person who brings forward information about an act of sexual misconduct or abuse. Reprisal or retaliation is prohibited and will result in appropriate discipline.

It is a violation of Division policy to knowingly report false allegations of sexual misconduct or abuse. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

ISSUED: October 3, 2011
REVISED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
SEXUAL HARASSMENT

This regulation applies to all employees and students.

School Board Policy, File GBA provides that all division employees and students shall have a working/learning environment free of sexual harassment. For the purposes of this regulation, sexual harassment shall be understood to be unwelcome sexual advances, requests for sexual favors and other verbal communications or physical contact of a sexual nature in which:

1. Submission to the conduct is made either an explicit or implicit condition of employment, or award of grades or other measures of student achievement;
2. Submission to or rejection of the conduct is used as a basis of an employment decision affecting the harassed employee or any decision affecting a student; or
3. The conduct substantially interferes with an employee's or student's performance, or creates an intimidating, hostile, or offensive work or school environment.

Conduct of a sexual nature may include, but is not limited to, verbal or physical sexual advances; subtle pressure for sexual activity; unnecessary touching, pinching and patting; frequent brushing against a person's body; comments regarding physical or personal characteristics of a sexual nature; sexually oriented "kidding" or "teasing;" double entendres (hidden meanings) and jokes of a sexual nature; sexist remarks about a person's clothing, and physical attributes or sexual activity.

Conduct of a sexual nature shall be considered unwelcome if the targeted employee or student gives specific notice, or by their actions, indicates to the initiator that such conduct is not welcome.

Any conduct of a sexual nature directed toward a student by a School Board employee, regardless of student response, shall be considered to be unwelcome and therefore a form of sexual harassment. Such conduct by employees is expressly prohibited.

DETAILED PROCEDURES:

1. All York County School Division employees shall be provided information concerning School Board Policy File GBA. Information provided employees shall include, but not be limited to, a definition of conduct that could fall under the definition of sexual harassment, procedures for reporting sexual harassment complaints and the responsibilities of supervisors and/or principals to follow-up all complaints through school division administrative channels.
2. Specific training detailing responsibilities for implementing and enforcing sexual harassment policy shall be provided to all principals, directors, and other employees who supervise other employees (hereinafter "supervisors"). Supervisors who tolerate sexual harassment by their subordinates or students shall be considered in violation of both School Board policy and this regulation.

3. The York County Student Disciplinary Code Handbook shall prohibit sexual harassment of employees or students by a student. This sexual harassment provision shall be reviewed with all students and parents during the opening of each school year.

4. Victims shall be encouraged to report sexual harassment occurrences. Any employee who believes he or she has been sexually harassed, should report the incident to their immediate supervisor. If the employee's immediate supervisor is the subject of the harassment complaint, the employee shall bypass the supervisor and report directly to the next supervisory level.

Students who believe they have been sexually harassed should take their complaint to the principal or assistant principal or guidance counselor. All incidents of sexual harassment involving students shall immediately be reported to the building principal.

Confidentiality will be maintained and reprisals or retaliation shall be prohibited subsequent to any reporting of instances of sexual harassment.

5. Complaints involving sexual harassment of a student by another student shall be handled by the building principal following York County Student Disciplinary Code guidelines.

All other complaints involving alleged incidents of sexual harassment shall be immediately reported by supervisors to the Chief Human Resources Officer. As the division's Equal Employment Opportunity Commission Compliance Officer, the Chief Human Resources Officer shall be responsible for investigating all complaints following EEOC guidelines.

In determining whether alleged conduct constitutes sexual harassment, the Chief Human Resources Officer will evaluate the facts of the case, the totality of the conduct, and the context in which the alleged conduct occurred.

The findings and recommendations of the Chief Human Resource Officer's sexual harassment investigation shall be submitted to the Superintendent for review. The Superintendent shall then take appropriate action regarding the complaint.
6. In accordance with School Board Policy File GBA and the York County Student Disciplinary Code Handbook, violation of sexual harassment policy shall result in disciplinary action, including, but not limited to, warning or reprimand, employee termination or student expulsion.

ISSUED: November 3, 1993
REISSUED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
RETENTION AND RECRUITING INCENTIVES

School Board Policy File GBC states that, "It is in the best interest of the School Board to undertake measures to counteract monetary inducements offered by competing employers to employees or potential employees whose skills are in great demand in the labor market." The Superintendent is charged with proposing recruiting and retention incentives that will attract and retain candidates and employees in critical shortage areas.

Each year, during the preparation of the Operating Budget for the next fiscal year, the Chief Human Resources Officer will propose to the Superintendent the positions to be designated as critical shortage areas for the Division. Such positions shall be determined by labor market conditions and by Division experience deemed relevant by cognizant directors. The amount of incentives proposed for those positions designated will reflect labor market conditions and resources anticipated for the next fiscal year. Upon approval of the Operating Budget, the Chief Human Resources Officer will submit for the Superintendent’s approval an incentive plan for the next fiscal year that complies with the funding approved by the School Board in the annual operating budget.

ISSUED: July 28, 2000
REVISED: June 1, 2011
REVIEWED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
OPEN DOOR POLICY

Employees routinely have direct communications with their immediate supervisor. When an employee wishes to bring a matter to the attention of a person above their immediate supervisor, there are implications for managerial and organizational efficiency and effectiveness. Routine matters should be and will be processed through the immediate supervisor to the supervisory level vested with the authority to decide the matter.

However, in extraordinary circumstances an employee may feel justified in communicating with a person above the immediate supervisor. This regulation establishes the procedures to be followed in the unusual instance when a School Board employee believes sufficient cause exists to address an issue, a question or a proposal to a person in the administrative organization higher than their immediate supervisor.

1. All School Board employees are covered by this regulation.

2. No School Board employee has the authority to prohibit a subordinate from using this channel of communication or to penalize a subordinate for using this channel of communication.

3. Communications between the employee and the addressee of the question or proposal can be written or oral.

4. The employee is encouraged, but not required, to inform the immediate supervisor of the question or the issue.

5. The employee is encouraged, but not required, to obtain comments on the matter from the immediate supervisor and other persons in the organizational structure above the immediate supervisor who are cognizant of the matter.

6. Because this channel of communication is for the unusual circumstance, the person to whom the issue, question or proposal is addressed will respond to the employee within three working days. The response may include disposing of an issue, answering a question, evaluating or stating an intent to evaluate a proposal and/or providing a date certain when such action shall be commenced or completed.

7. Employees are authorized to seek final resolution from the Superintendent.

8. Communications with the School Board are governed by Policy File GBD

ISSUED: DNK
REVISED: June 1, 2011; May 8, 2014
APPROVED:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR DEALING WITH COMMUNICABLE DISEASES

The following procedures guide school and departmental administrators who identify or suspect communicable disease in the school or work setting.

1. Contact the Public Health Department to obtain guidance and to assist in making decisions regarding exclusions.

2. If it is the judgment of the Public Health Department, after consultation with private physicians or other public health officials, that an infectious or communicable disease is present in the school division and that there is a significant risk of transmission thereof or that the risk of transmission is unknown, the administrator shall contact the Superintendent and the employee will be excluded from school or the workplace, until the Communicable Disease Review Panel is convened.

3. The Superintendent shall establish a Communicable Disease Review Panel consisting of a physician, a Public Health Department representative, the Chief Operations Officer, the Chief Human Resources Officer and a school division representative to review all pertinent information and make recommendations to the Superintendent. Persons contributing information to the Panel shall include the attending physician, principal, immediate supervisor and employee.

4. A medical evaluation of the employee shall be obtained and the results submitted to the school division, for use by the Panel in making its recommendations.

5. The Panel will meet and review all pertinent information and make recommendations to the Superintendent within five (5) school days following the exclusion of the affected employee. The recommendations shall include, but not be limited to, review of a timetable regarding future school presence.

6. Within five (5) school days following his/her receipt of the report of the Panel, the Superintendent shall notify the affected employee of his decision to re-admit or to continue to exclude such employee from the school or workplace. Any person aggrieved by the decision of the Superintendent may appeal to the School Board.

7. Confidentiality and the right to privacy regarding the affected employee will be maintained by all persons involved.

8. All information regarding employees suspected of or diagnosed as having infectious, communicable or transmittable diseases shall be disseminated through the office of the Superintendent.
9. The School Board shall re-examine the regulations and policies as new facts become known.

ADOPTED: June 20, 1988
REVISED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
LACTATION SUPPORT PROGRAM

TITLE: Lactation Support Program

APPLICABILITY: All eligible School Board employees

BACKGROUND: In recognition of the well-documented health advantages of breastfeeding for infants and mothers and in conjunction with section 4207 of the Patient Protection and Affordable Care Act, Code of Virginia, 1950, as amended, Section 22.1-79.6, and Policy File GBE of the York County School Division Policy Manual, the York County School Division shall make available for any employee who is breastfeeding, reasonable break periods to express breast milk and a lactation room for such purpose. These accommodations shall remain in place for up to one year following the birth of a child.

I. LOCATION AND MAINTENANCE OF AREAS

In each school and administrative building in the Division, a lactation room will be provided for the expression of breast milk. This room will be a non-restroom location, will be private and sanitary and will be shielded from public view. When a designated lactation room is not available in the building, a temporary designated lactation room will be provided. Such room will be equipped with “in-use” signage and locking, privacy mechanisms and meet the requirements set forth above. Alternatively, if an employee prefers, the employee may express milk in her own private office.

Employees requesting lactation breaks are responsible for keeping the area clean and tidy for the next user. Employees will be responsible for providing safe storage of their own breast pump equipment and breast milk. Breast milk should not be stored in a multi-use refrigerator to avoid contamination. York County School Division accepts no liability for breast milk stored in violation of this Regulation.

II. FLEXIBLE BREAK TIMES

Lactating mothers must request and arrange with their supervisor appropriate and reasonable break times for expressing breast milk for up to one year after the child’s birth. Such time would not exceed normal time allowed for daily lunch and up to two daily allowed break periods of no longer than twenty minutes. For time above and beyond the normal daily lunch and two daily allowed twenty minute break periods, sick or personal time must be used; if none is available, the time beyond the normal daily lunch and two daily allowed twenty minute break periods would be considered leave without pay. Alternatively, an employee’s work schedule may be adjusted within the work week with supervisor approval. As needed, supervisors shall work with the employee to address arrangements and
scheduling in order to ensure that the employees’ essential job duties are covered during the break time.

III. **ENFORCEMENT**

Supervisors are encouraged to work with employees to establish mutually agreeable schedules for the expression of breast milk. Retaliation, harassment and/or discrimination in any way against an employee who chooses to express breast milk in accordance with the provisions of the S. Reg. are strictly prohibited. Any act found to be intentional that invades a nursing mother’s privacy shall be treated as a disciplinary offense, reportable to an appropriate administrator.

**ISSUED:** June 24, 2014

**APPROVED:**

Eric Williams, Ed.D.

Division Superintendent
SMOKING PROHIBITION OFF SCHOOL GROUNDS

School Board Policy Manual File GBEC prohibits smoking and other uses of tobacco in all School Division buildings. This policy also prohibits smoking and tobacco use in the presence of students during school hours and while on duty. Lastly, smoking and tobacco use outside of School Board buildings must be limited to those areas not normally used by pupils and parents.

The total ban on smoking and tobacco use in School Board buildings sets a standard which also applies to all School Board motor vehicles. The prohibition of smoking or using tobacco while on duty implies the same ban applies to school-sponsored activities away from the school site while a School Board employee is in the presence of students.

SMOKING AND TOBACCO USE PROHIBITED

1. School Board employees, and any other person, while riding in a School Board vehicle may not smoke or use tobacco.
2. School Board employees on duty for any type of school-sponsored activity at any location may not smoke or use tobacco in the presence of students.

ISSUED: February 22, 1994
REVIEWED: May 8, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ELECTRONIC CIGARETTE PROHIBITION OFF SCHOOL GROUNDS

School Board Policy Manual File GBECA prohibits the use of electronic cigarettes on school premises, on school buses and at school-sponsored activities.

The ban on the use of electronic cigarettes on school premises sets a standard which also applies to all School Board motor vehicles. The prohibition of the use of electronic cigarettes while present at a school-sponsored activity implies the same ban applies to school-sponsored activities away from the school site while a School Board employee is in the presence of students.

USE OF ELECTRONIC CIGARETTES PROHIBITED

1. School Board employees, and any other person, while riding in a School Board vehicle may not use electronic cigarettes.
2. School Board employees present for any type of school-sponsored activity at any location may not use electronic cigarettes in the presence of students.

ISSUED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
School Board Policy File GCBA provides that, "School Board employees shall be paid in accordance with the salary schedules in the York County School Division Pay Plan." The Superintendent proposes changes to the Pay Plan as warranted by economic conditions, market conditions, Pay Plan adjustments made by the County or other factors.

Each year, following final approval of the Operating Budget for the coming year, the Superintendent presents to the School Board for their approval salary schedules which incorporate any recommended changes. A copy of this regulation shall be included in the Pay Plan.

ISSUED: May 17, 1995
REVISED: June 1, 2011; May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
EMLOYEE RECOGNITION PROGRAM

I. BACKGROUND

School Board Policy GCBC provides that a Recognition Program be enacted to recognize the many accomplishments of both licensed and non-licensed employees and of division schools. The purpose of this regulation is to establish a Recognition Program to publicly acknowledge those who have made a significant contribution to the mission of the York County School Division and to define the procedures by which the program is to operate.

This recognition program consists of four components: the Apple Achievement Award, the Superintendent's Award, the Spirit of Education Award, and Service Recognition Awards. All licensed and non-licensed full-time and part-time employees are eligible for the Apple Achievement Award and the Superintendent's Award. All licensed and non-licensed full-time employees are eligible for the Spirit of Education Award.

II. DETAILED PROCEDURES

A. Department Implementation

While each function of the division is important to the educational mission of York County schools, there are extensive differences in type and nature of the roles of each department. This regulation seeks to provide sufficient flexibility to acknowledge that diversity in determining the criteria for selection and the manner of presentation. Cooperation among employees within and between buildings/departments is essential to the effective operation of division schools. In all cases, however, recognition must include consideration of quality employee performance, be consistent with the values of the organization, and strive to foster teamwork and cooperation rather than competition.

It is the responsibility of each school principal/department director to ensure these guidelines are utilized in a timely fashion for the purposes of recognizing employees within that building/department.

To properly utilize the recognition program, building principals and department directors are to include within their budget an amount not to exceed $250 annually. In addition, building principals, department directors and others in the supervisory chain are expected to regularly recognize employee accomplishments through spoken and written affirmation.
B. Awards of Accomplishment

The employee recognition program shall be divided into three separate levels to recognize specific employee accomplishments. The first award is the Apple Achievement Award, the next award is the Superintendent's Award, and the highest award is the Spirit of Education Award. The achievement on which a nomination is based should have occurred within one calendar year prior to the submission deadline.

1. Apple Achievement Award

This employee recognition program is designed to recognize outstanding service or achievement. The Apple Achievement Award is based on the idea that numerous individual "acts of excellence" enable the division to meet and exceed its goals and expectations. This could include, but is not limited to, outside awards, grants, promotions, personal and professional achievement, longevity, attendance, etc.

Nomination procedure

Nomination forms are attached to this Superintendent’s Regulation. At the beginning of each school year, principals and department directors should provide all employees with an overview of the division’s award program and should make nomination forms readily available. Nominations for this award may be made by any employee on an on-going basis and shall indicate the date, time, and type of outstanding service or incident with sufficient information to allow for verification, review and evaluation. The employee making the nomination will submit the completed form to his/her building principal/department director.

The building principal/department director will review the form to ensure that the submittal is consistent with the stated purpose of the recognition program. Following the review and approval, the building principal/department director will initial the document, make a file copy, and send the original to the Coordinator of Professional Development, Non-Licensed. A copy of the nomination form will be inserted in the employee’s official personnel file.

Selection

At the conclusion of each semester, nominations will be reviewed jointly by the Chief Academic Officer, Chief Operations Officer, Chief Human Resources Officer, Coordinator of Professional Development, Non-Licensed and a member of the York Education Association (YEA) executive board. This committee will decide whether or not the nomination is appropriate and worthy of further consideration. If a nomination is submitted after the end of the school year, the employee will be considered for recognition during the following school year.
Award Presentation

All employees who were nominated for an Apple Achievement Award will receive a certificate of recognition, presented by the employee's building principal/department director. Recipients of the Apple Achievement Award will be recognized by the Division Superintendent in an informal ceremony at the employee's work place and in front of his or her fellow employees. The event can involve gathering employees for a breakfast, luncheon, or reception. Those employees who were recommended by the selection committee to receive the Apple Achievement Award will be further recognized at the end of the school year during a division-wide annual employee recognition function. The Apple Achievement Award will consist of an engraved apple. Employees can receive this award more than once and there is no limit to the number of awards presented in any given year.

Guidelines

The recognition must be in conformance with the purpose stated above, signed by the observer, and processed in the manner prescribed in order to be considered a valid document.

2. Superintendent’s Award

This level of recognition is designed to recognize those employees who have made a particularly meaningful and/or meritorious contribution to the school division or community. This contribution must go well beyond normal duties, expectations, and responsibilities. This could include, but is not limited to, the development and implementation of innovative programs or practices resulting in increased efficiency or effectiveness for the department, school or division as well as heroic or charitable acts towards employees or the community leading to an enhanced public image.

Nomination Procedure

Nominations for this award shall be made on an on-going basis by the employee's building principal/department director to the Coordinator of Community & Public Relations using the Employee Recognition Program Nomination form. Nominations can be based on input from supervisors and/or fellow employees. The type of meritorious service and supporting information necessary for review, evaluation and final decision should be included in the nomination. A copy of the nomination will be placed in the employee's personnel record.

Selection

Each spring, nominations will be forwarded to the Division Superintendent for the selection of one awardee per school year. If a nomination is submitted after the end of the school year, the employee will be considered for recognition during the following school year.
The Award

The Superintendent's Award shall consist of a certificate of recognition, a plaque and a certificate authorizing a reasonable amount of day(s) professional leave in recognition of outstanding performance. At the end of the school year, this employee will receive the Superintendent's Award during the division-wide annual employee recognition function.

Guidelines

The recognition must be in conformance with the purpose stated above, signed by the observer, and processed in the manner prescribed in order to be considered a valid document.

3. The Spirit of Education Award

The Division Superintendent reserves the option to select those employees for recognition whom he considers to have contributed, by deed or example, to the school division or community in an unusually significant fashion. Types of contributions might include, but are not limited to, an employee who consistently represents an exemplary standard and who exceeds employment responsibilities ordinarily performed by more than one employee or by employees in much higher job classifications. This award can be presented at the sole discretion of the Superintendent.

School principals/department directors or other division employees may submit nominations throughout the calendar year to the Coordinator of Community & Public Relations using the Employee Recognition Program Nomination form. A copy of the nomination will be placed in the employee's personnel file. If a nomination is submitted after the end of the school year, the employee will be considered for recognition during the following school year.

Selection results in the presentation of the Spirit of Education plaque at the annual employee recognition function at the end of the school year. The recipient will also receive a certificate authorizing a reasonable amount of day(s) professional leave in recognition of outstanding performance. It is understood that the significance of this category naturally limits the number of recipients and it is plausible that no such award would be made. Further, it is unlikely that a recipient would receive consideration for subsequent awards in this category. Should there be cause to further recognize an individual the Division Superintendent would determine an appropriate symbol.

C. Award Documentation

To ensure proper consideration of an employee's achievement(s), building principals/department directors should determine whether or not a nomination reflects these guidelines:
Evidence demonstrating a direct identification with the achievement through personal leadership, development or application of program content and techniques;
Evidence indicating the worth of the accomplishment in terms of tangible results achieved. Relevant evidence, for example, might be higher employee morale, more effective operations, lower costs, improved student achievement, performance of assigned tasks in such an exemplary manner as to set a record of achievement or acts of heroism beyond the call of duty; and
Evidence detailing how the achievement was a remarkable or unusual performance of the nominee's assigned duties or an accomplishment above and beyond the normal range of responsibilities. If needed, a copy of the nominee's position description may be requested.

D. Service Recognition

Length of Service

It is the policy of the York County School Division to recognize employees for twenty-five years of service.

Employees who retire in good standing

It is the policy of the York County School Division to recognize those employees who have provided valuable service to the division upon the occasion of their retirement. Each retiree will be recognized at the annual employee recognition function at the end of the school year. Employees who announce their retirement intentions later than April 30 will be recognized at the next year’s recognition event.

E. Outside Awards and Honors

The division realizes that its personnel are often recognized by other organizations for their dedication and professionalism. While guidelines for these awards may be governed by a Superintendent's Regulatory Memorandum, others will be determined by the sponsoring organization.

To that extent, it is the division's goal to keep a record of these achievements and recognitions for dissemination to the York County community. Upon notification of an award, the employee should notify his or her supervisor who will forward the award notice to the Coordinator of Community & Public Relations for further consideration and action.
F. Employee Recognition Event

Each spring, the school division will host an employee recognition function for employees who received recognition as an Apple Achievement recipient, Superintendent's Award winner, or Spirit of Education Award winner. Also invited to this event will be Teacher of the Year candidates and winners, division personnel with 25 years of service, as well as division personnel who are retiring. Each person being recognized may bring a guest.

ISSUED: September 26, 1995
REISSUED: January 10, 2001

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURE FOR FAMILY AND MEDICAL LEAVE

TITLE: Requests for Family and Medical Leave

APPLICABILITY: All eligible School Board employees

DEFINITION: For the purpose of this Regulation, requests for Family and Medical Leave shall be the process by which employees apply for and are granted or denied leave in accordance with the provisions of the Family and Medical Leave Act of 1993 and its Final Regulations of January 16, 2009.

BACKGROUND: In 1993 the U.S. Congress passed the Family and Medical Leave Act. The Act is designed to entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child and for the care of a child, spouse or parent who has a serious medical condition. In 2009, Final Regulations were adopted, expanding the circumstances eligible for the granting of Family and Medical Leave and clarifying required documentation and time limits associated with such requests and grants of leave.

This Regulation outlines the procedures to be followed by employees when applying for Family and Medical Leave in accordance with the provisions of File GCBD Sub-Section E of The York County School Division’s Policy Manual. All requests for leave are to be directed to the Chief Human Resources Officer. All determinations of eligibility for and grant or denial of leave shall be determined by the FMLA Administrator under the direction of the Coordinator of Compensation and Benefits. Any appeals regarding determinations of eligibility for and grant or denial of leave shall be determined by the Chief Human Resources Officer.

I. REQUIREMENTS FOR REQUESTING FAMILY AND MEDICAL LEAVE

A. Employee notification

1. When a qualifying event is known or anticipated, verbal notice should be given to an employee’s building administrator or director as far in advance as possible, followed by written documentation in the form of Attachment A1, A2 or A3 hereto. Such written request should be submitted at least 30 days prior to the start of the leave. Failure to follow timely notification procedures may result in the delay or denial of leave.

2. When an incident is immediate or unforeseen, notice should be given as soon as practical when the employee becomes aware of the need for leave.
3. For any requested leave for treatment, reasonable efforts should be made by the employee to schedule treatments so as not to disrupt unduly the operation of the Division.

B. Documentation of a qualifying event

1. A Request for Family and Medical Leave must be substantiated with satisfactory documentation provided within 15 calendar days of the date of the Request.

2. If the leave is due to a serious health condition of the employee, the employee’s spouse, child, parent or other immediate family member, the documentation will take the form of Attachment A1 hereto, Medical Certification of Health Care Provider for Employee’s Serious Health Condition. If the leave is due to adoption or foster care placement, the documentation will take the form of Attachment A1 along with supporting documentation from the appropriate agency.

3. The Division reserves the right to request, at its expense, a second opinion if the validity of a Medical Certification is questioned. If the first and second opinions differ significantly, the Division may request that the employee obtain a final and binding third opinion of a jointly selected health care provider. The Division may request recertifications when appropriate but generally not sooner than 30 days.

4. If the leave is due to a qualifying exigency, documentation will take the form of Attachment A2 hereto, Certification of Qualifying Exigency for Military Family Leave. Written documentation, such as duty orders, dates of active duty service and date of commencement of exigency must be attached to the Certification.

5. If the leave is due to the serious health condition of a covered servicemember, documentation will take the form of Attachment A3 hereto, Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave. Written documentation confirming that the covered servicemember’s injury or illness was incurred in the line of duty on active duty and that the servicemember is undergoing treatment for such injury or illness must be included with the form. Second/third opinions or recertifications for leaves to care for a covered injured or ill servicemember cannot be requested.

6. Failure to follow timely notification procedures may result in delay or denial of leave.

II. DETERMINATION OF ELIGIBILITY AND DESIGNATION OF LEAVE

A. Eligibility Notice
1. Upon notification by the employee of the need to take leave, the FMLA Administrator shall, within five business days, provide the employee with a Notice of Eligibility and Rights and Responsibilities which will take the form of Attachment B hereto. This Notice shall advise whether the employee meets the eligibility criteria for Family and Medical Leave. If the employee is determined to be ineligible for leave, the Notice shall state the reason for the ineligibility.

B. Designation Notice

1. Upon receipt of the employee’s documentation in support of the leave request, the FMLA Administrator shall, within five business days, provide the employee with a Designation Notice which will take the form of Attachment C hereto. This Notice shall advise the employee whether the circumstances of the request meet the criteria of a leave qualifying event. If the leave request is determined not to qualify as a leave qualifying event due to insufficient information, the employee shall have seven calendar days to cure the deficiency.

III. ADMINISTRATION OF FAMILY AND MEDICAL LEAVE

A. Calculation of Available Leave

1. All leave requests that are qualifying events will be counted towards the 12 week or 26 week entitlement period.

2. Available leave balances are determined on a school year basis measured from July 1 through the succeeding June 30.

B. Options for taking Family and Medical Leave

1. Leave taken for the birth or placement of a child may not be taken on an intermittent or reduced schedule leave unless approved by the employee’s supervisor and the Chief Human Resources Officer.

2. Leave for the serious health condition of an employee, an employee’s spouse, child, parent, immediate family member or a covered servicemember may be taken intermittently or on a reduced schedule leave when medically necessary.

If such leave is foreseeable, based on planned medical treatment, the Employee shall make a reasonable effort to schedule the treatment so as not to disrupt unduly the operation of the Division. The Superintendent may require the employee to transfer temporarily to an available alternative position within the Division for which
the employee is qualified and that has the equivalent pay and benefits and better accommodates recurring periods of leave than does the employee’s regular position.

3. The Superintendent may require an employee to continue taking leave until the end of a semester in certain circumstances.

IV. PAID LEAVE, CONTINUATION OF BENEFITS AND RETURN TO WORK

A. Pay During Leave

1. Accrued sick, annual and/or personal leave shall be used and counted as part of the 12 or 26 week allotment of Family and Medical Leave. Periods of leave not covered by accrued sick, annual and/or personal leave shall be taken as leave without pay.

2. No seniority or other employee leave benefits will accrue during the period of Family and Medical Leave.

B. Group Health Benefits While on Leave

1. While an employee is on paid leave, the premium share contribution, if any, for group health coverage shall be deducted from the employee’s pay.

2. During a period of unpaid leave, the employee shall be responsible for ensuring that the employee’s premium share contribution, if any, for group health coverage continues to be paid.

3. During the period of leave the Division will continue to pay the employer’s premium share contribution. If the employee fails to return from leave, the Division may recover the premium paid during the leave period except in the case when the employee does not return to work due to the continuation, recurrence or onset of a serious health condition that entitled the employee to the leave or other circumstances beyond the employee’s control.

C. Return To Work

1. Upon return from leave for a personal serious health condition, the employee must present a certification from the health care provider that the employee is able to return to work and can perform the essential functions of the job. The employee’s return to work may be delayed until the certification is presented.

2. Except as provided in III B (2) and (3) hereof, and Sections E (1) and F of the Division’s Family and Medical Leave Policy, upon completion of a Family and Medical Leave, an employee shall be returned to the position they held at the time their leave became effective or to a position equivalent in pay and benefits.
ADOPTED: August 2, 1993
REISSUED: June 13, 1995; January 31, 2001; May 8, 2014
REVISED: January 31, 2011

LEGAL REF.: Family Medical Leave Act of 1993; FMLA Final Rule 1/16/2009

Approved:

Eric Williams, Ed.D.
Division Superintendent
PERSONAL BUSINESS LEAVE PROCEDURES

I. Taking Leave

A. Prior Approval
Generally, the employee will file a written request, in advance, with his/her school principal or immediate supervisor for permission to use personal business leave (PBL).

B. Emergencies

1. Outside the workday
   In emergencies the employee will telephone the office of his/her principal or immediate supervisor prior to the beginning of the work day in order to explain the emergency and to note the employee’s intentions to file for PBL. The employee, immediately upon returning to work, will file a written request for PBL.

2. During the workday
   If, after reporting for work, a personal emergency compels the employee to leave work for a period of time in excess of two hours of flex time, the employee will file the written request for half / whole day increments for exempt employees or in 15 minute increments for non-exempt employees depending on the time of departure.

   An emergency is the only circumstance under which PBL can be approved without advance notice.

II. Donating Leave

A. Background
   School Board policy authorizes employees to donate PBL from their personal account to the account of an employee who requests such donations. Employees annually accrue three (3) days of paid PBL. Two (2) days of this leave may be carried over each year on July 1st. Consequently a total of five (5) days of PBL is the maximum balance held by any employee. Any PBL days in excess of the 2 carried over are converted to sick leave at the end of each fiscal year.

B. Eligibility for Participation

1. To request PBL donations from other employees, the requester must be a fulltime employee and must have completed a minimum of two consecutive fulltime years with the School Board.
2. Requesters must have exhausted all categories of leave in their personal accounts and be ineligible for any other form of compensation connected with their employment with the School Board.

3. The requester must have been approved for sick leave under the FMLA or Long Term Medical Leave policies.

C. Detailed Procedures

1. The Request for PBL Donation form will be completed by the requester and submitted to the Chief Human Resources Officer for processing (PBL Donation form available on SID).

2. The Chief Human Resources Officer will recommend approval or disapproval of each request to the Superintendent or designee. Subsequently, the Chief Human Resources Officer or designee will inform the requester of the Superintendent’s decision.

3. If approved, the Chief Human Resources Officer will direct staff to notify via email employees at the requester’s work location that a request for PBL donations has been filed. Unless otherwise directed by the employee requesting the PBL donation, the name of the requester will remain confidential and will not be divulged to the pool of potential donors.

   i. Employees will have 10 days to respond to the request.

   ii. The time/date stamp of the email responses to the notice of a request for donations will be used to determine when the request for donations has been satisfied.

   iii. Human Resources will send the notice of request for donations and responses to the notice to Payroll for processing.

   iv. Donations will be credited day for day regardless of any differences in the working hours of the donor and the requester.

   v. If a donor’s leave is accepted, the leave time expenditure/credit will be reflected in the donor’s and the requester’s pay stubs and in Kronos timesheets or other applicable leave records. The donor will be notified individually via email of the donation being accepted by Human Resources staff.

   vi. Once accepted donations match the amount of leave requested, Human Resources staff will notify via email the pool of potential donors of this fact.
4. If leave donated by employees at the requester’s work location fails to meet the requested amount of PBL, the Chief Human Resources Officer will have staff publicize the request for donations to the remainder of School Board employees. In such case, the procedures specified in section II.C.3 above will apply.

5. Any unused donated leave remaining in the requester’s leave account on July 1st will be processed as any other PBL balance; two (2) days of this PBL will be carried to the next fiscal year with the balance converted to sick leave in the requester’s leave account.

ORIGINAL EDITION REISSUED: May 18, 1995
REISSUED: July 1, 2000; January 31, 2001; February 15, 2006; May 8, 2014
REVISED: June 24, 2011

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
YORK COUNTY SCHOOL DIVISION SICK LEAVE BANK

I. INTRODUCTION AND BACKGROUND

The York County School Division Sick Leave Bank is established to provide income to employees who, due to illness or injury, have used all of their sick leave, annual leave, and compensatory time and are not receiving Worker’s Compensation or retirement benefits. It is not designed for brief illnesses (30 days or less). In order for the Sick Leave Bank to be established at least 60% of all eligible employees must agree to participate in accordance with the terms in this policy.

II. ELIGIBILITY FOR PARTICIPATION

1. An eligible employee must have completed one year of service.
2. An eligible employee must have a minimum of 10 sick leave days to join the Bank (full-time employees).
3. Time for part-time employees will be prorated accordingly.
4. The period of enrollment shall be during the month of October each year.

III. MEMBERSHIP

1. Membership in the Sick Leave Bank is voluntary.
2. An employee may enroll in the Bank by completing an application, and making an initial contribution of 1 workday to the bank, and agree to any assessment in order to increase the Sick Leave Bank balance.
3. During the enrollment period each year, participating employees are required to donate one additional day, but may donate up to five days of sick leave, to the Bank, unless the number of days in the Bank exceeds two times the number of participating employees.
4. Contributions are irrevocable and remain in Bank if an employee cancels his/her participation, and membership does not guarantee approval of a Sick Leave Bank grant request.

IV. ASSESSMENT

1. Members will be assessed an additional day of sick leave when the Bank is depleted to 100 days, unless they choose not to participate further in the Bank.
2. A member not wishing the assessment may terminate membership by informing the Human Resources department in writing of his/her desire, within 15 calendar days of the assessment notice.
3. Members having no sick leave to contribute at the time of assessment but desiring to remain in the Bank will be assessed the first sick leave day subsequently accumulated.
V. ELIGIBILITY FOR REQUESTS

1. Participating members may utilize the service whenever they are incapacitated by long-term personal illness or, and have exhausted all of their own sick leave.
2. To be eligible, the employee must have exhausted his/her accrued sick, annual, and compensatory leave days, but the request for a Sick Leave Bank grant may be submitted prior to exhaustion of his/her leave.
3. Application for a Sick Leave Bank grant must be submitted within 10 days after using all accrued sick leave.
4. A formal request is presented to a Review Committee along with a physician’s certification of disability of the employee.
5. The Review Committee will act on a request within 10 working days of receiving it. The physician’s report will be submitted directly to the Review committee and must include the nature, extent, and anticipated duration of the illness or disability.
6. The Review Committee can request a second opinion by a physician of its choice.
7. Sick Leave Bank grants may be denied if any requested physician report is not submitted.
8. Any employee requesting a Sick Leave Bank grant agrees to the review of all pertinent medical information and leave records by appropriate committee members.
9. The 30 day waiting period begins the first day an employee is absent from work due to the illness or injury.
10. If an eligible employee suffers a relapse within 30 working days due to the same illness or disability which necessitated initial use of the Bank and has not used the maximum days allowed from the Bank in that one school year, the member need not meet another 30 working days of illness requirement.

VI. MAXIMUM ALLOWANCE

1. An employee can withdraw no more than 60 days for one absence within a 12-month period.
2. The amount of days that an employee can withdraw is based on length of service.
3. If an employee is receiving disability retirement benefits from VRS or Social Security, they are ineligible to withdraw days from the Sick Leave Bank.
4. Sick Leave Bank grants need not be repaid.

VII. EXCLUSIONS, LIMITATIONS, AND TERMINATION OF BENEFITS

1. Sick Leave Bank grants will not be given for any period less than five workdays.
2. The use of Bank days will be whole days payable at the rate of 50% of an employee’s normal gross daily wages.
3. Employees receiving a Sick Leave Bank grant will not accrue sick leave or credit for holidays during the time period that the grant is being received.

4. No Sick Leave Bank grants will be paid for time that the disabled employee is confined in a penal or correctional institution as a result of convictions for a criminal or other public offense.

5. In the event of the following, the participating employee will lose the right to apply for or receive Sick Leave Bank grants:
   
   a) Termination of employment with YCSD; also not permitted to withdraw his/her contributed day(s)
   b) Suspension without pay
   c) Voluntary cancellation of participation in the Bank
   d) Failure to make required contribution or provide required physician certification

6. Disabilities resulting from the following are not eligible for Sick Leave Bank grants:
   
   a) Any occupationally related accident or illness that Worker’s Compensation benefits are payable
   b) Intentionally self-inflicted injuries
   c) Injury occurring in the course of committing a felony or assault
   d) Service in the Armed forces
   e) War, insurrection, rebellion, or active and illegal participation in a riot
   f) Cosmetic surgery or treatment, or surgery or treatment not deemed necessary by a physician

VIII. PRE-EXISTING CONDITION

1. Employees with disabilities arising within the first year of participation and attributable to a pre-existing condition will be excluded from the Bank.

2. Charter members are not subject to this pre-existing condition provision.

IX. ADMINISTRATION

1. The Human Resources Department will recommend rules and policies and administer the Sick Leave Bank.

2. The Review Committee and the Superintendent must agree upon recommended rules and policies.

3. The Review Committee will be composed of eight members (three teachers, two health services professional, and two support employees) and the Chief Human Resources Officer will serve as an ex-officio member.

4. Members of the Review Committee will serve two-year terms and are eligible for reappointment.

5. A rotating term of service may be used to assure continuity.
6. The main tasks of the Review Committee include reviewing, verifying, approving/denying, and communicating decisions of all requests for Sick Leave Bank grants.
7. The ruling of the committee is final and nongreivable.
8. The Human Resources department will review the Review Committees decisions to assure consistency with the Sick Leave Bank policy.

All requests for participation, grants, and cancellation must be made on authorized forms. A Sick Leave Bank grant request must include a certificate signed by a physician stating the cause of the illness/accident and that the employee is not able to perform assigned duties. The Review Committee may request that an employee apply for disability benefits if the applicant is eligible for such benefits.

X. TERMINATION OR MODIFICATION OF THE SICK LEAVE BANK

1. York County School Division retains the right to discontinue or modify the Bank at any time that it becomes necessary to do so.
2. If the Sick Leave Bank becomes inoperative for any reason, any sick leave days remaining in the Bank at that time will be distributed to those members then drawing sick leave bank days.
3. From the remaining sick leave bank days, if any, one sick day will be credited to each current member if there are sufficient days in the Bank to allow one day for each member.
4. If there are not enough sick leave days to credit one day for each member, then the Sick Leave Bank will terminate and no further distribution will be made.

ISSUED: May 25, 2005
REISSUED: May 8, 2014
APPROVED:

Eric Williams, Ed.D.
Division Superintendent
CHARTER MEMBER SICK LEAVE BANK ENROLLMENT REQUEST FORM

Ref: S.REG.-GCB-3

Date:________________________

Name:__________________________________________________________________

School/Location:__________________________________________________________

Grade/Subject/Position:____________________________________________________

I , the undersigned, agree to participate in the YCSD Sick Leave Bank, provided the sufficient membership requirement is met, and to donate one day of sick leave to the bank to get it established. I understand the bank may require future assessments if the bank becomes depleted to less than 100 days.

In order for this employee benefit to be offered, I understand that 60 % of eligible employees must agree to participate.

________________________________________
Signature

Please return this signed form via Pony to the Compensation and Benefits Office by the last day of school so the results can be tabulated.
PROCEDURES FOR SUBSTITUTE TEACHERS

The Chief Human Resources Officer shall maintain a database of substitute teachers approved by the School Board. Before being considered for approval an applicant must be interviewed by the Chief Human Resources Officer or designee.

After interviewing an applicant the Chief Human Resources Officer, when appropriate, will recommend to the Superintendent that the applicant be approved by the School Board. If the Superintendent concurs, the applicant will be listed as a personnel action on the School Board’s next consent agenda. When circumstances warrant, the Superintendent or Chief Human Resources Officer can authorize use of the recommended applicant prior to the School Board’s next regular meeting.

A YCSD employee retiring from full time service must have at least a 30 day break in service prior to assuming a part time or substitute position. This 30 day break in service must occur during the ordinary contractual period.

Interviews will be scheduled only after the applicant has the following documents on file in the personnel office:

1. Completed application
2. Transcript(s) containing a minimum of 50 semester hours from an accredited college
3. Letters of reference or completed reference forms from at least three (3) individuals

The Chief Human Resources Officer shall provide an up-dated listing of substitutes to schools via the on-line Substitute system.

REISSUED: November 19, 2003; August 2004; May 8, 2014
REVISED: August 1, 2011

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR ASSIGNMENT TO ADMINISTRATIVE POSITIONS

In recommending administrative supervisory promotions to the School Board, the Superintendent will consider experience, training, licensure and endorsement, proven ability, leadership skills, scholarship, character, special abilities or skills and competence. Qualified applicants must complete an administrative application which will be kept on file by the Chief Human Resources Officer. When vacancies develop which are not filled through internal promotion or transfer, an announcement of the vacancy will be posted in the schools and in each administrative facility and on the Division’s internal and external websites. Except in cases of emergency, such notices will be posted at least ten workdays prior to the deadline for applications. Such notices will list some of the duties, salary, required qualifications, starting date, and other pertinent information. Posted notice will serve as notification to employees who have an application on file. Applicants who are not appointed will be notified by the Chief Human Resources Officer.

Final selection for recommendation to the Board is made by the Superintendent.

ADOPTED: June 20, 1988
REISSUED: May 21, 1999
REVISED: May 8, 2014

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
EVALUATION PROCEDURES MANUAL

Evaluation Handbooks for licensed and non-licensed employees and for school based administrators are published separately by the Chief Human Resources Officer under the authority of this Superintendent’s Regulation.

ADOPTED: June 20, 1988
REISSUED: November 11, 2005; May 8, 2014
REVISED: July 25, 2011

APPROVED:

Eric Williams, Ed.D.
Division Superintendent
DISCIPLINARY ACTION

This regulation applies to all employees of the York County School Board.

School Board Policy Files GCPD, GCPF and GDB provide for disciplinary actions which may be taken when violations of rule, policy, procedure, regulation, law or acceptable standards of ethical conduct occur or in cases of incompetency. A written record of each instance of disciplinary action should be made in accordance with the procedures below.

1. Verbal warnings regarding minor violations are meant to alert the employee of expected future conduct and consequences for failure to meet expectations and shall be noted in writing by the supervisor, manager or director in his or her personal notes.

2. Written warnings or reprimands used for more significant first violations or repeated minor infractions shall be documented by a supervisor, manager or director. The Chief Human Resources Officer must be notified of this action.

3. Suspension recommendations must be documented on the Notice of Disciplinary Action form or other appropriate form and submitted to the Chief Human Resources Officer who will forward the recommendation to the Superintendent. Suspension recommendations must be approved by the Superintendent.

   A. Suspension With Pay for Up To Five Days: An employee may be suspended by the Superintendent for up to five (5) days with pay and without further recourse by the employee.

   B. Suspensions With Pay For Up To Sixty Days: Any employee may be suspended for up to sixty (60) days in accordance with Section 22.1-315 of the Virginia Code. The employee will be notified in writing of the reason for the suspension and of his/her right to request an opportunity to be heard before the School Board. At such hearing the employee may appear with or without a representative and may present testimony of witnesses or other evidence. The hearing must be set within 15 days of the employee’s request for a hearing and the employee must be given at least 5 days’ written notice of the time and place of the hearing.

   C. Suspension Without Pay for Up to Sixty Days: An employee may be suspended without pay for up to sixty (60) days in accordance with Section 22.1-315 of the Virginia Code. The employee will be notified in writing of the reason for the suspension and of his/her right to appear at a hearing conducted by the School Board, to appear with or without representation at such hearing and to present testimony of witnesses or other evidence. The hearing must be set within fifteen (15) days of the date of the employee’s request for such hearing and the employee must be given at least 5 days’ written notice of the time and place
of the hearing. If a determination is made that the suspension will be without pay, such pay will be placed in escrow pending completion of any applicable grievance process.

D. Suspension Without Pay Of Indefinite Length: An employee may be suspended by the Superintendent indefinitely and without pay when the employee is charged with one of the offenses listed in Section 22.1-315 of the Virginia Code. These offenses include: (1) sexual assault; (2) obscenity and related offenses; (3) illegal drugs; (4) moral turpitude or (5) physical and/or sexual abuse or neglect of a child. In such instances, the employee’s pay will be held in an interest-bearing escrow account for up to one (1) year pending resolution of the charges. If an employee is found not guilty or the matter is dismissed, the escrowed pay will be returned with interest earned, less earnings from other employment during the suspension. Upon a conviction, the escrowed pay will be returned to the School Division.

E. An employee’s insurance benefits will not be suspended or terminated due to or during a suspension.

4. Dismissal recommendations must be documented on the Notice of Disciplinary Action form and submitted to the Chief Human Resources Officer. Dismissal recommendations must be approved by the Superintendent.

A. When the dismissal recommendation is being made because of alleged misconduct on the part of the employee, the Chief Human Resources Officer shall conduct a pretermination meeting and report the results of the meeting to the Superintendent prior to the Superintendent’s final decision on a proposed dismissal.

B. An employee’s failure to respond to reasonable efforts by the Chief Human Resources Officer to schedule a pretermination meeting shall be considered a refusal to attend the meeting on the part of the employee. The Chief Human Resources Officer will document fully the means taken to arrange the pretermination meeting and inform the Superintendent of the reasons for treating the employee’s failure to respond as a waiver of the employee’s right to the pretermination meeting.

ISSUED: July 12, 1995
REVISED: November 23, 2009; May 8, 2014
APPROVED:

Eric Williams Ed.D.
Division Superintendent
PROCEDURES FOR ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR DRIVERS OF BUSES AND OTHER COMMERCIAL VEHICLES

This regulation applies to all School Division employees who as a requirement of their employment must possess a commercial drivers license and who operate for any purpose a school division owned or leased:

a. commercial vehicle in excess of 26,000 pounds;

b. vehicle designed to carry 16 or more passengers, including the driver; or

c. vehicle designed to display a hazardous materials placard.

Also covered by this regulation are those employees who hold a commercial drivers license and are required to perform "safety sensitive functions" in relation to the operation of Division vehicles. A list of those School Division "covered employee" job classification groups is found in Appendix A.

DEFINITIONS

Alcohol Use - The consumption of any beverage, mixture, or preparation including any medication, containing alcohol.

Breath Alcohol Concentration (BAC) - The alcohol standard of measure expressed in terms of grams of alcohol per 210 liters as measured by an Evidential Breath Testing Device.

Controlled Substances - Drugs which cannot be legally dispensed without the authorization of a Drug Enforcement Agency licensed medical official (i.e. a prescription).

Controlled Substance Use - The ingestion of any drug which legally can be obtained only with the authorization of a Drug Enforcement Agency licensed medical official (i.e. a prescription).

Covered Employee - A School Board employee who possesses a commercial drivers license and who operates for any purpose a division owned or leased vehicle in excess of 26,000 pounds, or is designed to carry 16 or more passengers, or displays a hazardous materials placard. Also included in this group are employees who hold a commercial drivers license and perform "safety sensitive functions" in relation to the operation of division vehicles.

Medical Review Officer (MRO) - A licensed physician contracted by the School Division to interpret alcohol and controlled substance test specimens and provide general medical related expertise.

Safety Sensitive Function - In addition to driving a vehicle, an employee is considered performing a safety sensitive function while present on Board property waiting to be dispatched, inspecting or servicing a vehicle, being in or upon the vehicle when it is being operated, supervising or assisting in
the loading or unloading of the vehicle, or when repairing or obtaining assistance for a disabled vehicle.

Substance Abuse Professional - A licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances related disorders.

I. BACKGROUND

The federal Omnibus Transportation Employees Testing Act of 1991, 49 Code of Federal Regulations (CFR) Part 40 ("the Act") requires that employers such as the York County School Division test covered employees for the use of controlled substances and alcohol. Submission to testing by means of breath analysis, alcohol saliva screen test and/or urinalysis for the presence of alcohol and certain controlled substances is to be considered a condition of employment for covered employees. Any impairment of an employee’s ability to fully, effectively, and safely carry out the duties of his or her position due to the use of controlled substances or alcohol will not be tolerated. Evidence that an employee is under the influence of either a controlled substance or alcohol will, with certain limited exceptions, be cause for dismissal.

This regulation serves to supplement the division's Substance Abuse Testing Policy for Drivers of Buses and Other Commercial Vehicles (File GDQ) by providing detailed policies and procedures for carrying out the administrative provisions of the Act. Guidelines are further specified for the conduct of the School Division staff and contractors in administering the testing required by this program.

II. DETAILED PROCEDURES

A. All covered employees shall be provided with educational materials and training opportunities to explain the requirements of the Act and the Division’s policy and procedures with regards to alcohol and controlled substances testing. Further, all Division supervisors of covered employee groups shall be required to complete a sixty-minute training session on the physical, behavioral, speech and performance indicators of probable misuse of alcohol.

B. Division policy specifically prohibits covered employees from the following:
   1. Reporting for or remaining on duty performing a safety sensitive function while having a blood alcohol concentration of 0.02 or greater;
   2. Using alcohol while performing safety sensitive functions;
   3. Abusing controlled substances;
   4. Reporting for duty or remaining on duty when the employee has used any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their safety sensitive functions;
   5. Being on duty or operating a commercial vehicle while possessing alcohol;
6. Performing safety sensitive functions within four hours of using alcohol;
7. Using alcohol within eight hours following an accident unless a post-accident test has already been given; or
8. Refusing to submit to a required alcohol and/or drug test. Refusal to test is defined as the following: refusal to follow alcohol and controlled substances testing procedures; failure to provide an adequate amount of tested specimen without a medical reason; or non-cooperation with the testing process in a manner that prevents the completion of the test.

C. All covered employees shall be tested for controlled substances and alcohol at certain specified intervals, including: pre-employment; post-accident; reasonable suspicion; return to duty; and counseling and follow-up to a positive test. The Division shall be responsible for notifying employees of any obligation(s) to submit to required testing.

D. A job applicant who tests positive for a tested controlled substance, or who shows a BAC level of 0.02 or greater, or who appears to be impaired as a result of alcohol consumption or use of a controlled substance regardless of the test results, shall forfeit further consideration of their application.

E. The Human Resources Department shall be responsible for arranging all pre-employment testing prior to the first time a covered employee performs a safety sensitive function. Newly hired covered employees shall upon their employment sign a release form allowing the Division to contact the employee’s previous employers to secure any records pertaining to the employee’s drug and alcohol use during the past two years, including test results showing BAC levels of 0.02 or greater, or any levels of controlled substances. A refusal of an employee to execute an appropriate release form equates to a refusal to submit to testing and shall be cause for dismissal or withdrawal of an offer.

F. The only exception to the Division requirement for pre-employment testing is if an applicant is specifically excused from testing by the Chief Human Resources Officer for any of the following reasons:
   1. If a newly hired employee has participated in an acceptable drug testing program within 30 days of being employed by the School Division and while in that program has been successfully tested within the previous six months, or participated in a random controlled substances testing program within the previous twelve months.
   2. A newly hired employee may also be excused from the pre-employment alcohol and controlled substance testing if the employee can provide evidence, satisfactory to the Human Resources Director, that the employee has been successfully tested under the Act by a previous employer or by an agency regulated by the Federal Department of Transportation within the last six months, and no other employer, or previous employer, reveals any evidence of any failed test within the previous six months.
3. In the event a newly hired employee is excused from pre-employment testing under the provisions listed above, the Human Resources Department, using the Release of Information Form—49 CFT Part 40 Drug and Alcohol Testing Form shall obtain the following information from the employees previous alcohol or controlled substances testing program:
   a. the name and address of the program;
   b. verification that the employee participated in the program and was not disqualified for any reason from performing safety sensitive functions, and did not refuse to be tested;
   c. verification that the program complies with the Act;
   d. the dates the employee was last tested for alcohol and controlled substances; and
   e. the results of any tests performed within the last six months.

G. Within 14 days after a newly hired covered employee first begins to drive a vehicle or perform any other safety sensitive function the School Division’s Human Resources Department must be in receipt of any records from previous employers pertaining to the employee’s drug and alcohol use during the past two years. In the event such information is not received by the end of the 14 day period, the employee will no longer be permitted to perform any further safety sensitive functions until the information has been received.

In the event that the information reveals that the employee has ever tested positive for controlled substances, or has shown a BAC level of 0.04 or higher, the employee will not be allowed to resume performance of safety sensitive functions unless there is also evidence that the employee has undergone a substance abuse evaluation and has submitted to a successful "return to duty" test.

H. Annually, the School Division shall be responsible for randomly testing a minimum of twenty-five percent of all covered employees for alcohol and fifty percent for controlled substances usage. Employees shall be selected for testing using a scientifically valid method of random selection and all random testing shall be unannounced.

The Associate Director of Transportation and Warehouse Operations or his/her designee, having been notified by the Division’s independent testing contractor of the monthly random pool of testing candidates, shall in accordance with the contractor’s guidelines assign specific dates for individual employee testing. Further, the Associate Director of Transportation and Warehouse Operations or his/her designee shall ensure that once notified of a testing assignment, the covered employee is able to fulfill their testing obligation within two hours of notification. The Associate Director of Transportation and Warehouse Operations or his/her designee shall coordinate through the tested employee’s immediate supervisor adequate coverage of the employee’s job responsibilities while they are excused to fulfill their testing requirement. A written log shall be maintained documenting the specifics of each employee notification. Strict confidentiality shall be preserved regarding random testing information.
I. Employees notified to report for testing are required to proceed immediately to the testing site. The only exception is for those employees performing a safety sensitive function at the time of notification. Provided they report for testing within two hours of notification, an employee may be permitted to complete the performance of the safety sensitive function with the explicit permission of their supervisor. The refusal to submit to an alcohol or controlled substance test is considered a positive test and, therefore, cause for dismissal.

J. Following an accident involving a Division vehicle in which a covered Division employee has been issued a citation for a moving violation where injuries occurred or a fatality has resulted or can reasonably be anticipated to result, the driver of the Division vehicle shall be subject to alcohol and controlled substance testing. Testing shall also be required of any other Division employee holding commercial drivers license who is performing a safety sensitive function with respect to the vehicle at or just prior to the time of the accident.

Within a maximum of two hours of the accident, the Associate Director of Transportation and Warehouse Operations or his/her designee shall arrange with the Division’s testing contractor the testing of the driver, and other relevant covered employees for controlled substances and alcohol. Covered employees involved in the accident are required to refrain from all use of alcohol and controlled substances and remain available for testing, for a period of 8 hours following the accident. Covered employees are required to be available for testing and refrain from using controlled substances for 32 hours. Failure to do so will be deemed an intentional refusal to submit to testing, and will be cause for dismissal.

In the event no alcohol test can be performed within two hours of the accident, a written report is to be filed by the Associate Director of Transportation and Warehouse Operations with the Chief Human Resources Officer indicating why testing could not be performed within the two hour period. If an alcohol test cannot be performed within eight hours after the accident, or if a controlled substance test cannot be performed within 32 hours of the accident, all efforts to perform the tests must cease, and a written report made explaining the delay. If the employee is tested for either controlled substances or alcohol by a law enforcement officer investigating the accident within the time frames stated above, such tests may be substituted for testing performed by the School Division’s contractor, provided that the Division is able to obtain a copy of the test results. In such cases, the employee may be required to sign a release form(s) required to allow the School Division to obtain copies of test results.

K. Division supervisors who have completed training regarding the physical, behavioral, speech, and performance indicators of probable misuse of alcohol and controlled substances who observe a covered employee exhibiting overt symptoms of impairment from the use of alcohol or controlled substances shall complete the Division "Reasonable Observation Suspicion Form". The supervisor completing the form shall ensure that the suspected
employee is escorted both to and from the Division’s testing site within two hours of the observable behavior(s). The completed "Reasonable Observation Suspicion Form" should be kept on file in the Human Resources Office.

Reasonable suspicion testing for alcohol may be conducted only if the behavior giving rise to the supervisor's suspicions was observed during, just before, or just after, the employee performed a safety sensitive function. If an alcohol test is not performed within 2 hours of observed behavior giving rise to a suspicion of alcohol use, the supervisor must make a written report explaining the reason for the delay. No alcohol test may be conducted more than eight hours after the behavior was observed.

Regardless of the absence of a reasonable suspicion test, no employee whose observable behavior gives cause for reasonable suspicion may be allowed to perform any safety sensitive function until either 24 hours have elapsed, or the employee submits to a negative controlled substances test in the case of a suspicion of controlled substance usage or to an alcohol test showing a BAC of less than 0.02 in the case of a suspicion of alcohol use.

L. After a covered employee has been determined to be in violation of School Board Policy with respect either to alcohol or controlled substances, the employee will not be allowed to return to work or to perform a safety sensitive function until the employee is tested for alcohol or for controlled substances with an indication of a BAC of less than 0.02 or a negative result for controlled substances. The Human Resources Department shall provide written notification that the covered employee has completed the requirement for alcohol and controlled substance testing prior to returning to performing any safety sensitive function.

Further, any employee found in violation of Board Policy with respect to either alcohol or controlled substances and who is not dismissed from employment shall be referred to an alcohol or substance abuse counselor for counseling and treatment, if treatment is deemed necessary. Any cost associated with substance abuse counseling and treatment shall be the responsibility of the employee.

As a condition of returning to work, the employee shall submit to regular unannounced follow up testing as determined by the counselor. At a minimum, the Act and Board policy require the employee be tested at least six times during the twelve months following their return to duty. All such testing shall be arranged and monitored by the Human Resources Department, in coordination with the testing contractor.

M. Division testing of covered employees for alcohol and controlled substances shall be performed either by the School Division’s contractor, or by a laboratory under an agreement with the contractor. Employees reporting for testing shall be required to provide personal identification either in the form of a photo ID (i.e., drivers license, employee badge) or
positive identification by the employer or designated employer representative. Testing
methods to be employed include for alcohol the use of a breath test administered by an
Evidential Breath Testing Device (EBT), which will record an employee’s blood alcohol
concentration (BAC). The presence of controlled substances shall be tested for using urine
specimens collected under highly controlled conditions.

1. When testing for alcohol, if the initial test results show a reading of 0.02 BAC or
greater, a confirmation test will be required. To ensure an accurate second test, a 15
minute waiting period will be observed. The 15 minute waiting period is to observe
that the presence of mouth alcohol from recent use of food, tobacco, or hygiene
products does not artificially raise the test result. In the event the confirmation test
result is different from the initial test, the confirmation test result will be used to
determine the consequence. A breath alcohol testing form will be prepared with a
copy for the employee.

2. Controlled substance testing is limited by the terms of the Act and Division policy to
five controlled substance types: Marijuana, Cocaine, Opiates, Amphetamines, and
Phencyclidine (PCP). The positive levels for the five classes of controlled substance
tests are listed below:

<table>
<thead>
<tr>
<th>DRUG</th>
<th>Initial Test Levels*</th>
<th>Confirmation Test Levels*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>50</td>
<td>15</td>
</tr>
<tr>
<td>Cocaine</td>
<td>300</td>
<td>150</td>
</tr>
<tr>
<td>Opiates</td>
<td>300</td>
<td>300</td>
</tr>
<tr>
<td>Phencyclidine(PCP)</td>
<td>25</td>
<td>25</td>
</tr>
</tbody>
</table>

When administering the test, two tests may be performed. The initial test is the
immunoassay test. This is a screening test to determine controlled substance usage
for the five classes of controlled substances. The second test is a confirmation test. If
the results of the initial test are negative, the testing laboratory will advise the School
Division’s Medical Review Officer (MRO) that the controlled substances test for the
employee was negative. No additional tests on the specimen will be done.

If the results of the initial test are positive, that is, if the results exceed the test levels
for any of the five controlled substances classes, a second (confirmation) test is to be
performed. This test is done in an entirely different manner from the initial one. All
specimens identified as positive on the initial test must be confirmed using gas
chromatography/mass spectrometry techniques.

Only specimens that are confirmed positive on the second or confirmatory test are
reported positive to the MRO for review and analysis. If the test result of the primary
specimen is positive, a request may be made by the test employee for the MRO to
send the second (or split) specimen to a different certified lab for testing. The testing
of the split specimen will be for the presence of controlled substances with no cut-off
levels. If the result of the test of the split specimen is "negative", the MRO shall cancel the test.

3. The Chief Human Resources Officer shall also be responsible for notifying any employee of a positive test result for controlled substances, or of an alcohol test indicating a BAC of 0.02 or more, as soon as possible upon receipt of the test results. If an employee desires to have the split urine specimen tested independently, they must advise the MRO within 72 hours of being notified of the positive test result of the primary specimen.

Following notification of a positive test result, if an employee fails within five (5) days to notify the MRO of their desire for an independent test, the positive test results shall be considered final. The employee will be responsible for the cost of any independent testing. However, in the event of a positive test result, an employee’s immediate ability to pay shall not preclude the timely performance of an independent controlled substance test. The employee remains ultimately responsible for payment at any independent testing. If necessary, the Division may deduct the cost of an independent test from the employee’s pay.

N. Disciplinary action File GDB of the School Board Policy Manual will be taken against any employee whose blood alcohol concentration (BAC) is 0.04 or produces a urine sample that reveals any level of a controlled substance for which testing is authorized.

1. Employees who produce BAC levels of 0.02 or higher, but less than 0.04, but who do not appear to have been impaired by alcohol use, will not be allowed to perform any "safety sensitive function" until at least 24 hours have elapsed and may be subject to dismissal. Such employees, however, will not be subjected to the "return to duty" testing or the "follow-up" testing, or the requirement for alcohol abuse counseling.

2. Drivers who display a BAC of less than 0.02, but greater than 0.0, will not be disciplined or removed from duty unless there is other evidence to suggest that the employee is impaired in his or her ability to perform safety sensitive functions, in which case the employee will be subject to the disciplinary measures mentioned previously.

Nothing in the policy, or in this procedure, shall prevent the imposition of discipline on any employee found to be performing a safety sensitive function while under the influence of alcohol or of a controlled substance. Such violations shall be cause for dismissal.

O. The School Division’s Human Resource Department will have responsibility for storing all records related to this testing program, for releasing copies of these records in compliance with the Act and School Board Policy, and for submitting all reports required by the terms of
the Act. Strict confidentiality shall be maintained in handling all personal information related to this program.

In general, records shall be kept for the following periods of time:

1. One Year: records of negative and canceled tests for drugs, and alcohol tests showing a BAC of less than 0.02.
2. Two Years: records related to the collection process and training.
3. Five Years: records of alcohol tests showing a BAC of 0.02 or higher; records of positive drug tests; documentation of any refusal to submit to any test; documentation of calibration of testing devices; records of driver education and referrals.

P. The Chief Human Resources Officer is designated to answer questions regarding the School Division’s alcohol and controlled substance testing program. Call 898-0392 for further information.
POSITION CLASSIFICATIONS REQUIRING A COMMERCIAL DRIVERS LICENSE AND THE PERFORMANCE OF SAFETY SENSITIVE FUNCTIONS

- Bus Driver
- Substitute Bus Driver
- Area Supervisor
- Bus Dispatcher
- Transportation Staffing Specialist
- Associate Director of Transportation and Warehouse Operations
- Master Electrician
- Tradesman/Electrician
- Master Plumber
- Tradesman/Plumber
- Master HVAC Technician
- Tradesman/HVAC Technician
- Manager of Vehicle Maintenance
- Master Service Technician
- Senior Mechanic
- Service Technician I
- Service Technician II
- Service Technician Helper
- Master Carpenter

This listing is not exclusive. Additional job descriptions may be added, removed, or temporarily included by the Chief Human Resources Officer pursuant to the criteria set forth in File GDQ of School Board Policy.
SECTION I
NOTIFICATION OF LEARNING OBJECTIVES

At the beginning of each school year, the York County School Division will provide parents with information on the availability of and access to the Standards of Learning, graduation requirements, and policies relating to promotion, retention, and remediation.

- Curriculum guides for all subjects are made available on the division website for students, parents or guardians in grades K-12.
- In grades K-5, parents are provided with the learning objectives for the core subject areas at each grade level. A copy of these documents is available to parents on the Division’s website. The Director of Elementary Instruction provides copies of the documents for parent distribution through a regulatory memo each fall. The Instructional Specialists monitor and update these documents annually.
- At the start of each school year, teachers in grades 6-12 will provide students with a course syllabus. This document will also be made available electronically to students and parents.
- Each student in grades K-12 receives a student hand book at the beginning of each school year that provides annual notice of SOL testing dates, notice of all requirements for Board of Education approved diplomas, school division policies on promotion, retention, and remediation. This student handbook is also available on the Division’s website.

The York County School Division provides notice of credits needed for graduation and the right to a free public education.

- During the annual registration process, school counselors review credit requirements for graduation with students and their parents/guardians.
- Parents/Guardians of all students in grades 9 through 12 are provided the opportunity to meet individually with their student’s school counselor to review four year plans, graduation requirements pursuant to the Standards of Accreditation, and the student’s remaining number of requirements for graduation. The school counselor will send parents/guardians written communication requesting this meeting, and in the event parents/guardians elect not to attend, the school counselor will meet with the student.
- During the annual meeting, the school counselor will review academic records for any student for whom English is a second language. For those students who are failing to achieve expected units of credit required for graduation, the school counselor will notify the parent/guardian of the following: Students may be accepted and provided English-Second language programs if they entered school in Virginia for the first time after reaching their 12th birthday, and who have not reached age 22 on or before August 1 of the school year.
- Individual schools provide written communication to parents/guardians, when applicable, regarding failure and/or retention of their student. Schools will also provide parents with notification of summer school options for students to retake failed courses.

School personnel meet annually with the parents/guardians of students with disabilities as part of the student’s Individualized Education Program (IEP). In this annual meeting, the Case Manager shall inform the parents/guardians of their student’s right to a free and appropriate education. Starting in Grade 9, parents/guardians of students with disabilities are also notified through the annual IEP meeting
about their student’s progress toward meeting the requirements for a standard or advanced studies diploma and the length of time students with disabilities may stay in school. A child with a disability, age 2 to 21, inclusive, means one whose second birthday falls on or before September 30 and who has not become twenty-two years of age by September 30. If the child with a disability becomes 22 after September 30, he or she is eligible to receive services for that school year.

ISSUED: December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

The York County School Division is committed to educating students about the dangers of drugs, alcohol, and tobacco use. This is accomplished through a multi-tiered instructional approach, in collaboration with local public agencies.

The York County School Division’s Health and Family Life curriculums teach students about the negative effects of alcohol, drug and tobacco use. Through this instruction, students learn to identify the negative effects of alcohol and drug use, ways to prevent substance abuse, and how to apply decision making skills to reduce risky behavior. Students are also provided information regarding community agencies that can assist with substance abuse. The negative consequences associated with underage drinking and drunk driving are taught to students in tenth grade through the state approved Driver Education curriculum.

Additionally, through a community partnership with the York-Poquoson Sheriff’s Department, students in grades four and seven receive instruction through the Drug Abuse Resistance Education program (D.A.R.E.). The D.A.R.E. lessons are taught by York County police officers in collaboration with school staff. The mission of the D.A.R.E. program is to teach students good decision-making skills to help them lead safe and healthy lives.

ISSUED: December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
FAMILY LIFE EDUCATION

Family Life Education is offered to students in grades K-10 in the York County School Division. The instructional program is organized to support Family Life Education objectives for each grade level in accordance with the Virginia Department of Education standards of learning.

Community Involvement Team:

A Community Involvement Team (CIT) will be established. This team may include school administrators, teachers, parents, and community members. The administrator responsible for Family Life Education shall ensure that the committee is representative of all levels and school zones. The CIT will meet as changes occur to the Family Life Education curriculum.

Teacher Training:

The York County School Division will provide training annually for new Family Life Education teachers. Additionally, Family Life Education teachers shall participate in training opportunities when provided by the Virginia Department of Education.

“Opt-out” Procedures:

A Family Life Education form shall be included in the YCSD Student Handbook. This form shall be sent home with each student at the beginning of the school year. Parents will have the option on the form to have their child removed from all or part of the Family Life Education instructional experience.

Annual Review:

The Family Life Education curriculum shall be reviewed annually by the administrator responsible for Family Life Education. If changes are necessary, the Community Involvement Team will convene to provide input.

Parental Review:

A public orientation session shall be held prior to September 30 each year for parents/guardians who may be interested in reviewing the Family Life Curriculum and supplemental materials. Curriculum will be made available for review at each school as well. A Family Life Summary will be posted on the division website and will include this statement: “Parents and guardians have the right to review the family life education program offered by the York County School Division, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of family life education instruction.”

ISSUED: December 17, 2013
Approved:

Eric Williams, Ed.D.
Division Superintendent
CITIZENSHIP

The York County School Division’s character education program is designed to build the student’s capacity to become civic-minded participants in the school, community, and society by the time the student completes high school. Through this model character education is interwoven into the K-12 instructional program, the school procedures, and the school environment.

A major goal of the York County School Division’s character education program is to join with parents in helping students develop responsible attitudes and behaviors in an effort to prepare them for adult citizenship as well as for work and further education. For this reason, it is as important for the school to teach and evaluate citizenship as it is to teach and evaluate academic work.

Citizenship Guidelines:

Teachers are required to discuss the following citizenship standards with their students.

1. Attends class regularly except for excused absences.
2. Coming to class on time.
3. Coming to class with necessary materials.
4. Completing homework assignments.
5. Meeting deadlines.
6. Doing his/her own work when independent work is required.
7. Participating in class activities and discussions.
8. Exercising reasonable care of school property.
9. Showing respect for others.
10. Exercising good conduct.

Elementary Schools:

Students in elementary school will receive a quarterly citizenship evaluation based on the citizenship displayed at school.

Students may receive a grade of Satisfactory, Progressing, Needs Improvement, and Not Evaluated based on the "Citizenship Guidelines” listed above. Comments that support the citizenship evaluation may also be included on the school report card.
**Secondary Schools:**

Students in secondary schools do not receive an official evaluation on citizenship, however, teachers may include comments relating to citizenship on the report card. Secondary students who exhibit unsatisfactory citizenship may have the following privileges withdrawn:

**Middle Schools**

1. Athletics
2. After school recreation
3. School clubs
4. Student government
5. Public performance of music, dance, drama, cheerleading, and speech
6. Special field trips not a part of regular classroom work, and/or
7. School dances and assemblies

**High Schools**

1. Athletics
2. School clubs
3. Student government
4. Public performance of music, dance, drama, cheerleading, and speech
5. Special field trips not a part of regular classroom work
6. School dances and assemblies
7. Graduation ceremony

**ISSUED:** April 22, 1994

**REVISED:** September 5, 2013; March 17, 2014

Eric Williams, Ed.D.
Division Superintendent
FAMILY INVOLVEMENT

PART I. GENERAL EXPECTATIONS

The York County School Division agrees to implement the following statutory requirements:

- The school division will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A and Title III, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- Consistent with section 1118, the school division will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with section 1118(d) of the ESEA.
- The school division will incorporate the division-wide parental involvement policy into its LEA plan developed under section 1112 of the ESEA.
- In carrying out the Title I, Part A and Title III, Part A parental involvement requirements, to the extent practicable, the school division and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school division will submit any parent comments with the plan when the school division submits the plan to the State Department of Education.
- If the LEA receives the level of funding which requires a 1% of Title I, Part A set-aside, then the school division will involve the parents of children served in Title I, Part A schools in decisions about how the 1% of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95% of the 1% reserved goes directly to the schools.
- The school division will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:
- Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring-
(a) that parents play an integral role in assisting their child’s learning;
(b) that parents are encouraged to be actively involved in their child’s education at school;
(c) that parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
(d) the carrying out of other activities, such as those described in section 1118 of the ESEA.

PART II. DESCRIPTION OF HOW DIVISION WILL IMPLEMENT REQUIRED DIVISION WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

1. The York County School Division will take the following actions to involve parents in the joint development of its district wide parental involvement plan under section 1112 of the ESEA:
   • Each school will convene an annual Open House meeting during October or November.
   • Two opportunities to attend the Open House will be provided, one during the daytime and one during the evening.
   • Each school will establish a Title I Advisory Council that meets on a quarterly basis.
   • One member of each school council will serve on the Division Title I Advisory Council, which will meet once per semester.
   • Functions of the Title I advisory councils include sharing information about school/division services and opportunities for remediation/enrichment as well as reviewing data, school-parent compacts, and Title I policies.
   • Meeting agendas and minutes for the division and school-level Title I Advisory Council meetings will be available to parents via the school division email notification service.
   • Parents unable to attend these meetings may submit comments on agendas and minutes in writing.

2. The York County School Division will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:
   • The Title I Advisory Council meetings will be open to all parents.
   • In the event a school is determined in need of improvement by the Virginia Department of Education, the function of the school-level Title I Advisory Council will include providing input to assist schools in modifying and updating the School Improvement Plan.
   • In the event a school is determined in need of improvement by the Virginia Department of Education, the Title I Advisory Council will provide ongoing
communication and monitoring concerning the progress of the goals and objectives outlined in the School Improvement Plan.

3. The York County School Division will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:
   - Hold monthly Title I teacher meetings, to include staff development in parent involvement topics (curriculum, assessment, division services, and effective parental involvement programs).
   - Per federal guidelines, provide schools with funds to support Title I parental involvement.

4. The York County School Division will coordinate and integrate parental involvement strategies in Part A with other programs such as Head Start and Title III language instructional programs:
   - Post Title I newsletters at Head Start, public preschool, and military Family Service Support Center locations serving the school division.
   - Provide Head Start information at division schools.
   - Invite parents of students in these programs to attend at least one Title I workshop annually.

5. The York County School Division will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its parental involvement policy, and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.
   - Conduct an annual parent survey in May to evaluate the parental involvement policy and to identify barriers to greater parent participation in parental involvement activities.
   - Provide the survey in paper and electronic formats.
   - Use survey results and parental involvement activity evaluations to help establish parental involvement goals for the upcoming school year.
   - Review survey results with the Title I parent advisory councils.
6. The York County School Division will build the schools’ and parents’ capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

A. The school division will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school division or school, as appropriate, in understanding topics such as:
   - The State’s academic content standards,
   - The State’s student academic achievement standards,
   - The State and local academic assessments,
   - Title I federal regulations,
   - How to monitor their child’s progress, and
   - How to work with educators by following these actions:
     - Providing information about instructional objectives on a regular basis
     - Providing progress reports to parents on a regular basis
     - Conducting at least one annual parent-teacher conference
     - Conducting other parent meetings as needed
     - Developing and implementing an annual school-parent compact
     - Maintaining a school division parent resources webpage with such information
     - Distributing to local libraries, posting at military Family Service Support Centers, posting on the school division parent resources webpage, and sharing with Title I parents via the y-Line a brochure about ways for parents to support their children’s reading development, to include educational website resources
     - Presenting workshops on such topics
     - Conducting Title I parental involvement activities on a quarterly basis
     - Posting Open House information on school websites
     - Providing parents with the following information at each school’s annual Open House:
       - information about the Title I program,
       - information about the district-wide Title I parental involvement policy,
       - opportunities to discuss the Title I parental involvement policy,
       - a description and explanation of the curriculum,
       - forms of academic assessment,
       - opportunities for meetings to discuss the education of their children,
       - ways to access Title I information
B. The school division will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children’s academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:
   • Providing a monthly Title I newsletter
   • Conducting Title I parental involvement activities on a quarterly basis
   • Offering activities to extend Title I instruction, to include strategies consistent with instruction for parents to use in helping their children with reading
   • Inviting parents to observe their child’s instruction

C. The school division will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:
   • Incorporating this as a topic in Title I teacher meetings

D. The school division will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with such programs as Head Start and public preschool, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children, by:
   • Collaborating with administrators of Head Start and public preschool programs regarding ways to support parents in helping their children with reading
   • Inviting program coordinators to attend Title I parental involvement activities

E. The school division will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:
   • Communicate such information to parents via flyers, the school-division email notification service, the automated phone call system, and the division/school websites.
   • Provide parents with notification of parental involvement opportunities in a timely manner.

PART III. ADOPTION
The division-wide Title I Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by the agendas, minutes, and parent sign-in sheets from Title I Advisory Council meetings held at each school and at the School Board Office during the preceding school year.

The Title I policy is adopted by the York County School Board in the fall of each school year and will be in effect for the period of one year. The school division will distribute the Title I policy to all parents of participating Title I, Part A children on or before each school’s annual Title I Open House in the fall.

Issued: April 22, 1994
Reissued: October 24, 2011; September 5, 2013
Revised: November 19, 2012; December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS

Students may be enrolled in the York County School Division Virtual High School (VHS) as an additional instructional program to the regular classroom setting through an approval process as follows:

1. placement by the Department of School Administration as a result of a long-term suspension or recommendation from the School Board,
2. placement by the Department of Accountability and Instructional Services for homebound instruction or as a result of an IEP Team decision,
3. Course selection by the student as designated in the Program of Studies, or
4. placement by the Department of Instruction, approved by the Coordinator of Online Learning (COL) for:
   a. students in the general educational setting with unique circumstances,
   b. documented homeschooled students residing in Virginia who may enroll in up to two virtual courses,
   c. private school students who may enroll in virtual courses on a tuition basis, or
   d. out of division students through the Multidivision Online Provider (MOP) program as prescribed by the Virginia Department of Education,
   e. Eleventh and twelfth grade students may be approved to take Economics and Personal Finance online as an eighth course, under the following limited circumstances:
      i. the student is enrolled in a program that limits his/her elective opportunities to one (i.e., IB Diploma Programme, Governor’s School, School of the Arts-Literary Arts Strand, and/or New Horizon’s Regional Education Center CTE Program, pursing an Advanced Diploma); and,
      ii. the student has been enrolled in a specific, elective course of study since freshman year (i.e., art, band, chorus, CTE strand, drama, and/or ROTC), that he/she would have to give up, if not for this option.

ENROLLMENT

1. During the registration period students may enroll in online courses that are open to all students through their school counseling office.
2. Students may enroll in online courses offered through Virtual VA (the Virginia Department of Education’s Advanced Placement School).

COURSE CREDIT AND GRADING

1. Prior to beginning coursework, the student must sign the YCSD Acceptable Use Policy and the Student Honor Agreement.
2. Students will be required to complete orientation training prior to beginning the coursework.
3. Student grading in the virtual school will follow school division policy and timelines. The virtual teacher will be given access to the YCSD student management system for generating progress reports and entering grades.
4. Students will receive a standard unit of credit upon successful completion of the course. Verified units of credit may be earned when the student has successfully completed the requirements and passed the SOL test associated with the course. Students in the VHS may complete courses in more or less time than the standard on-site course.
5. Some students may be enrolled in an on-site course but then transferred to the VHS or transferred back to their home school from VHS. All grades will be reported appropriately to post in the student’s academic record. If a portion of a course is taken at the VHS, the grades earned will transfer to the subsequent course at the home school.

EQUIPMENT AND MATERIALS

1. Computer and Internet access is a requirement for the VHS Program, and students are required to login to the online courses daily and have regular communication with the teacher.
2. Students enrolled in the VHS may take their online courses during the school day or access their online courses from home.
3. Students enrolled in the VHS with an IEP will be provided required assistance as determined by special education or school staff.
4. Students who do not have a computer or access to one may arrange to use a computer at a York County Public Library. All students will comply with the York County Public Library Acceptable Use Policy in addition to the YCSD Acceptable Use Policy while enrolled in VHS.
5. The home school will provide the VHS student with the same necessary textbooks and materials which are supplied to students taking the course onsite. Parents will be instructed to secure textbooks and materials prior to the scheduled orientation.

PUPIL ACCOUNTING

1. A student enrolled in the VHS will continue to be enrolled as a student at his/her home school.
2. All YCSD VHS students will be reported in the YCSD student management system at the home school.

STUDENT TESTING

1. All VHS students will be required to complete mid-term exams, final exams, and SOL tests at a school site.
2. Grades and SOL test results will be reported to the student’s home school.
RETURN TO ON-SITE INSTRUCTION

1. The VHS student may return to the traditional classroom room at the completion of the prescribed enrollment period or a request for withdrawal by the home school.
2. The COL will notify the home school of the date of return of the VHS student.

ISSUED: September 27, 2002
REISSUED: June 2007
REVISED: April 4, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ALTERNATIVE PROGRAMS

An alternative plan of education may be offered to a student when the student is placed on long-term suspension by the Superintendent or his/her designee, or expulsion from the school by the York County School Board. An alternative plan of education may be offered to the student at a time to be arranged by the school administration or an identified student’s Individual Education Plan (IEP) Team. Students who are assigned to an alternative educational program as offered by the York County School Division (YCSD) may be enrolled in various options including Enterprise Academy and the York County School Division Virtual High School (VHS). These programs will be delivered in the following manner:

1. The student will be assigned a course of study which meets the Standards of Learning in all core areas according to the requirements of each grade level.

2. Elective course offerings will be made available through the YCSD Program of Studies. Specific course offerings are contingent on available software and other considerations.

3. Course quarter and final grades will be reported to student’s home school guidance staff to post in the student’s academic record.

4. Successful completion of the prescribed program of study may enable students to earn a YCSD diploma from the student’s home school.

Students enrolled in the Virtual High School program by School Administration will follow the requirements outlined in Superintendent’s Regulation IGBG with the exception that students may not complete online coursework at school.

ISSUED: September 28, 1999
REISSUED: June 2007
REVISED: December 17, 2013
Approved:

Eric Williams, Ed.D.
Division Superintendent
ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS

The York County School Division (YCSD) provides information to parents and students annually regarding Advanced Placement classes, special programs, and other educational opportunities.

1. Information regarding Advanced Placement classes, special programs, and other educational opportunities will be included annually in the YCSD Program of Studies (POS) Registration and Information Guide.

2. A link to the YCSD POS shall be made available on the YCSD website.

3. Families will be invited to annual student academic and career planning meetings. Educational opportunities and special programs shall be shared in these meetings in accordance with the student’s academic and career plan.

4. Students enrolled in Advanced Placement courses will be encouraged to participate in their respective exams. The York County School division does not pay exam fees for students electing to participate in Advanced Placement exams.

ISSUED: December 17, 2013
Approved:

Eric Williams, Ed.D.
Division Superintendent
EXTRAORDINARY EDUCATIONAL EXPERIENCE GUIDELINES

Regular school attendance, direct pupil/teacher interaction, and class participation is generally essential to the learning process in the school setting. When it is warranted, however, the school system may afford a student the opportunity to take advantage of an extraordinary educational experience which requires an extended absence from school.

In such a case the following conditions should be established:

1. The event must be an unusual educational opportunity for the student, requiring absence from the school division.

2. The duration of time must be greater than five days and less than one grading period. If requesting the York County School Division online courses, the time must be no less than four weeks.

3. The student must have made a commitment and demonstrated exceptional ability in the applied area of interest.

4. If requesting Virtual High School courses, the guidance counselor should determine if the student’s schedule can be aligned with online courses offered.

5. The teachers must be supportive of the student’s efforts and be willing to provide opportunities to complete required work or required online coursework.

6. The student must agree to all conditions of the absence in regard to make-up work or required online coursework.

7. The student and parent(s) must be fully informed and understand all items of the agreement, as stated in the Guidelines and Application Form.

8. Requests must be made three (3) weeks prior to the start of the extraordinary educational experience. Early application is very important so as to arrange an academic schedule that would be conducive to the exceptional educational activity.

9. Punitive action must not be taken against the student.

When a student is given the opportunity to participate in an extraordinary experience that is construed to be of educational value, the student and parent(s) must follow the procedures listed below, for the student to receive credit and the appropriate grade for coursework.

1. Complete an application form for "Permission to Participate in an Extraordinary Educational Activity" (necessary only when the student will be absent from the school division and is not re-enrolling in another school).

2. Upon receipt of the completed application form, the principal will approve or disapprove the request.
3. If the request is disapproved, the principal will advise the parent and student to remain in attendance at school and the principal shall mark the application form accordingly.

4. If the parents would like to appeal the decision, then a copy of the application is sent to the Chief Academic Officer (CAO).

5. If the student is requesting online courses, the application form should be forwarded to the Director of Secondary Instruction (DSI) for final approval.

6. A meeting will be scheduled with the principal, parent, student, student’s teachers, and the Coordinator of Online Learning (COL) for online courses to determine an appropriate educational plan which includes exact make-up procedures and required online coursework.

7. The application form and educational plan are maintained by the principal.

Caution should be taken by the student in filing an application as there are some courses where it may not be possible to receive make-up work or credit (e.g., labs, JROTC, and skills courses).


Approved:

Eric Williams, Ed.D.
Division Superintendent
EXTRACURRICULAR ACTIVITIES

Extracurricular activities are under the direct supervision of the school principal and supplement the regular classroom program.

1. A yearly list of extracurricular (teams, clubs, organizations) activities will be compiled at each school and submitted to the Director of School Administration in time for presentation at the October School Board meeting (approximately October 15). Instructional field trips are not included in this report.

2. Care must be taken by the principal to insure that extracurricular activities do not create a significant interruption in the regular instructional program.

3. The name of the activity, the purpose of the activity, the number of students served, the amount of time required for the activity, and the sponsor should be listed as per the attached form.

4. A recommendation by the Superintendent for School Board approval is required for all student activities. Principals will be notified of such approval by November 1 of each school year.

ISSUED: April 22, 1994
REISSUED: August 7, 2006, December 17, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent
SELECTION, EVALUATION, AND ADOPTION OF INSTRUCTIONAL MATERIALS

The Instructional Materials Review (IMR) is the York County School Division’s process by which textbooks and related teacher resources, student materials, and electronic materials are selected, evaluated, and approved for adoption by the division. The Department of Instruction will annually review the procedures and the timeline for the selection of instructional materials and bring recommendations to the Division Superintendent. Only materials that support the YCSD curriculum and correlate highly with the Virginia Standards of Learning will be reviewed.

Selection of Instructional Materials

1. The Department of Instruction will coordinate the review process and determine the timeline for the selection, evaluation, and adoption of instructional materials.
2. The Instructional Specialist will request instructional materials from the textbook publisher along with specific information regarding the format and licensing of e-resources, using the IMR Publisher Information Form.
3. The Department of Instruction must first examine and evaluate the instructional materials on the state-adopted list before considering other instructional materials.
4. Staff from the Department of Information Technology will review technical specifications and licensing requirements for all e-resources and provide input to the Department of Instruction.
5. Staff from the Department of Instruction will review and rate specific materials using approved screening devices including the Cultural Bias Checklist, to narrow the selection of instructional materials to no more than three publishers.
6. Examination copies of print and non-print materials and a list of materials to be reviewed will be delivered to principals of each school.
7. Principals will arrange for materials to be reviewed by their staff. Administrators, course specific teachers, and other relevant staff in each school will review and evaluate the designated materials. Each school will submit two online evaluation forms, the IMR Rubric Evaluation form and Summary Evaluation form that reflect the collective input of all staff members involved in the evaluation process.
8. Parents and others who are interested will be invited to review the recommended materials that will be on display at the School Board Office during a publicized timeframe. An Instructional Specialist will coordinate this review with the Communications and Public Relations Department. Parent comments will be collected and summarized by the Instructional Specialist for review by the Director.
9. A recommendation for adoption will be made to the Cabinet by the Instructional Department. The Cabinet will determine the instructional materials that will be recommended for adoption by the YCSD School Board.
10. A Board Action Item will be reviewed by the School Board, and a vote will be taken.
11. The Department of Instruction will request the purchase of the approved instructional materials following the guidelines described in Policy IIAA Textbook Selection, Adoption, and Purchase.

Reconsideration of Instructional Materials

The suitability of instructional materials and resources may be questioned, despite the care taken to select appropriate materials for student and teacher use. When such challenges occur, every reasonable effort will be made to consider objections, keeping in mind the best interests of the students, the school, the curricula, and the community. Since differences of opinion do exist in our society, the following procedures shall be observed to recognize those differences in an impartial and factual manner.

1. If a complaint, regarding instructional materials, is made to a staff member other than the principal, the complaint is to be referred to the principal.

2. The principal shall attempt to informally resolve the issue by explaining the philosophy and goals and the selection criteria for the school division.

3. If an informal resolution is not made, the complainant shall then be provided with the Request for Re-evaluation form, to be completed in its entirety and returned to the principal within ten school days from receipt of the form.

4. Upon receipt of the completed Request for Re-evaluation form, the principal shall inform the Chief Academic Officer and shall convene an In-School Review Committee to be composed of the principal or designee, the library media specialist, a faculty representative endorsed in the area under challenge, a parent representative, and others as appropriate.

5. No challenged materials shall be removed from the school, until a final decision is made. However, parents filing the complaint can request, in writing, that their child not have access to the material being challenged.

6. The In-School Review Committee shall:
   a. Read and examine the challenged materials in accordance with the school division’s policy and procedures for the selection and evaluation of instructional and resource materials.
   b. Consider all known available published reviews and other standard selection aids.
   c. Base opinions on the materials as a whole, and not on passages viewed out of context.
   d. Meet to discuss the challenged materials and prepare a written report containing their recommendations on the disposition of the matter.

7. The principal shall notify the complainant of the committee’s decision in writing within 45 school days of receiving the written request for re-evaluation and shall forward copies of such notification and the committee’s report to the Chief Academic Officer.

Appeal Process

1. The complainant may appeal the decision of the In-School Committee by submitting a written request for reconsideration to the Chief Academic Officer within ten days of receiving notification of the committee’s decision.
2. The challenge shall then be presented to the Division Review Committee composed of the Chief Academic Officer; the Director of Elementary or Secondary Instruction; subject area specialists, parents, and students as appropriate.
3. The Division Review Committee shall follow procedures described under No. 6 (Reconsideration of Instructional Materials).
4. The complainant may appeal in writing to the Division Superintendent within ten school days of receiving notification of the Division Review Committee’s decision. The superintendent will submit the appeal to the York County School Board within twenty school days for final determination of the issue. The school board may seek assistance from outside organizations such as the American Association of School Administrators, the National Schools Boards Association, the American Library Association, the Association for Supervision and Curriculum Development, etc., in making its determination.
5. The complainant will be notified of the school board’s decision within 30 school days of the appeal to the Division Superintendent of schools.

Request for Review of the Virtual High School (VHS) Instructional Materials

1. Complaints regarding materials and resources used within the Virtual High School (VHS) are to be referred directly to the Coordinator of Online Learning (COL) for review.
2. The COL will convene a VHS review committee to be composed of the COL or designee, an Instructional Specialist, a faculty representative endorsed in the area under challenge, a parent representative, and others as appropriate.
3. The VHS Review Committee shall follow procedures described under No. 6 (Reconsideration of Instructional Materials).

REISSUED: April 22, 1994; September 27 2002, July 1, 2006,
REVISED: December 17, 2013
Approved:

Eric Williams, Ed. D.
Division Superintendent
FIELD TRIPS

Field trips can provide excellent educational experiences for students. To maximize the success of a field trip, the teacher should prepare in advance for the trip and plan thoughtful follow-up activities that allow students to apply and evaluate the information they learned. The following guidelines should be used in planning for a field trip:

- Teachers must obtain approval by the school principal when planning a field trip. Once approval has been given, the teacher may begin notifying students, parents, and commercial entities.
- The written permission of the parent/guardian should be secured for each child taking a field trip. The teacher should use Form I-17 “Field Trip Agreement of Understanding” or Form I-18 “Field Trip Agreement of Understanding (Small Card Stock)” when obtaining parent permission.
- Proper and adequate chaperoning must be provided on all field trips. As a general rule, there should be one chaperone for every five to ten elementary school pupils and for every twelve to fifteen secondary school pupils. The chaperones must also include a teacher and other such adults, as approved by the principal.
- Overnight instructional field trips shall be scheduled to use as little school time as possible. Weekends, holidays, and vacation periods are preferred for overnight field trips. Overnight performance trips will be considered on their respective merits. These may be concerts, parades, tournaments, and/or conferences. Application for approval of overnight field trips should be submitted to the Superintendent or his designee by October 1 of the school year for consideration by the School Board at an October School Board meeting. Sponsors will certify that they have explored local resources before planning a trip of extended distance.

ISSUED: April 22, 1994
REISSUED: July 13, 2006; September 4, 2013; December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
REQUEST FOR FINANCIAL SUPPORT FOR STUDENT TRIPS

School Board Policy File: IICAU provides principals the opportunity to apply for funding for educational activities that are not a mandatory extension of the curriculum. Application applies only to items that are not typically included in the normal budget process. To apply for funding, principals should meet the following criteria:


2. As stated in File: IICAU, Application for approval of overnight field trips should be submitted to the Superintendent or his designee by October 1 of the school year for consideration by the School Board at an October School Board meeting. If the principal is unable to meet the October 1 deadline for field trips, the request for funding must be made six weeks prior to a formal commitment/application being made to participate in the activity.

3. The principal shall submit a letter of request clearly describing the need, connection to instructional programs, other financial support available, and why other more cost effective options cannot be selected. It is expected that school/student financial contribution will be guaranteed at not less than 50% of the cost of the activity prior to application for funding from the school board.

4. All requests for funding from principals should be made through the office of the Chief Academic Officer.

ISSUED: November 28, 2000

REISSUED: July 14, 2006; December 17, 2013

Approved:

Eric Williams, Ed.D.

Division Superintendent
TEST IRREGULARITIES

A testing irregularity is any occurrence during a test administration that meets one or more of the following criteria:

- Inappropriately influences standard performance;
- Inappropriately influences the reporting of student performance;
- Constitutes a breach in the test security; or,
- Results in the improper implementation of mandatory student testing.

Test Irregularity Procedures:
1. Any test irregularity will be reported immediately to the designated school test coordinator (STC). In the absence of the STC, the irregularity will be reported immediately to the principal. Only in the absence of the principal or when an assistant principal serves as STC, would the irregularity be reported to an assistant principal.
2. STC or principal will report the test irregularity immediately to the designated Division Director of Testing (DDOT).
3. DDOT will determine the nature of the irregularity.
4. If the need for further investigation is not warranted, a record of the reported irregularity will be retained by the DDOT for the required period of time.
5. If further investigation of the test irregularity is warranted, the following procedures will be followed:
   a. DDOT will inform supervising director of the test irregularity.
   b. DDOT and director will develop an investigation plan to complete within 2 business days unless an extension of up to 3 additional days is granted by the Chief Academic Officer.
   c. DDOT will contact principal and/or STC regarding the investigation plan. In the principal’s absence, an assistant principal will be contacted.
   d. Principal, school level administrative staff and/or STC should NOT conduct a building-level investigation.
   e. DDOT or School Board Office assigned staff will conduct investigation.
   f. DDOT will report investigation findings to supervising director.
   g. Other Division staff may be involved in the investigation.
6. Interviewed Division employees involved in the test irregularity investigation will sign a Confidentiality Agreement.
7. DDOT will keep a record of the test irregularity investigation, and the outcome will be kept on file for the required period of time.

ISSUED: April 7, 2004
REISSUED: July 1, 2006; October 26, 2011; September 6, 2013; December 17, 2013
REVISED: May 18, 2010

Approved:

Eric Williams, Ed.D.
Division Superintendent
HOMEWORK

A. Guidelines

Homework is an extension of the instruction that students receive in the classroom and is an integral part of the educational program. Homework assignments should be based upon the age and ability levels of students. In making homework assignments, teachers will adhere to the following guidelines:

1. Homework should be valuable to students. It should be reasonable in length and closely related to classroom activities. For example, if a student can correctly multiply 10 three-digit decimal problems, there is little validity in assigning more.

2. With the exception of instructional activities intended to provide background knowledge, all homework will be practice and application of previously taught concepts.

3. Clear, specific directions with step-by-step examples will be given when a homework assignment is made. To minimize confusion about the specifics of an assignment, the homework assignment will be displayed in a strategic place for students to copy. The homework assignment will include a concise description of expectations for completion and evaluation.

4. Homework expectations will be communicated to students and to parents. Evaluation procedures, the part homework will play in determining students' grades, and other information that may help avoid confusion will be clearly stated.

5. School time will be provided for students to complete assignments requiring access to technology. For such assignments, a reasonable completion deadline will be set that permits all students equal access to school resources. Teachers will make every effort to avoid assignments that require significant financial contribution from students or parents. Teachers will inform parents of resources available through the school.

6. In support of differentiated instruction, teachers may vary homework assignments.

7. Homework should not be used for disciplinary purposes.

8. Homework assignments should be kept to a minimum over extended holiday breaks. Teachers should not assign new projects or lengthy activities to complete over the Winter Holiday break.

9. Teachers should seek to determine the causes if a student regularly fails to complete assigned work.

B. Evaluation

Written homework assignments will be explained, evaluated, and returned in a timely manner to students. "Evaluation" does not necessarily require the "grading" of each assignment. Check marks, stickers for reinforcement, and written comments are examples of how assignments can be evaluated. Non-written assignments such as reading assignments may be monitored by assessing students’ participation in class discussion or by written assessment on the previously read material. Standards for the weighting of homework are indicated below:
• Grades K-8 not to exceed 10% of marking period grade (except high school credit courses, which should not exceed 20% of marking period grade)

• Grades 9-12 not to exceed 20% of marking period grade

C. Suggested Time Standards

The amount of homework assigned should be appropriate to the needs of students. While it is recognized that homework assignments may vary in length, the following daily homework maximum standards are recommended.

• Grades K-1 30 minutes including reading
• Grades 2-5 45 minutes including reading
• Grades 6-8 75 minutes*
• Grades 9-12 30 minutes per class**

*Students in grades 6-12 who are enrolled in advanced, honors, and AP courses may be assigned additional homework.

**Because of the alternating-day block schedule in middle and high schools, the maximum of 30 minutes of homework should be assigned for each class meeting.

Example:

• Class meets 2 times during week #1 = 60 minutes homework/wk
• Class meets 3 times during week #2 = 90 minutes homework/wk

ISSUED: April 22, 1994

REISSUED: March 13, 2002; September 5, 2013; December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
MIDDLE SCHOOL CREDIT-BEARING COURSE/OMISSION

Middle school students may be enrolled in high school credit-bearing courses. Parents of middle school students may request that the grades for these credit-bearing courses be omitted from their child’s transcript and that the child not earn high school credit for the courses. High school students are ineligible for credit-bearing course omission. A request for credit-bearing course grade omission applies only to middle school students, the current academic school year, and is subject to York County School Division procedures. When middle school parents have complied with the procedures for such a request, the student’s transcript will be revised to reflect neither the credit-bearing courses attempted nor the grades earned in those courses. Students in eighth grade may not expunge Algebra I or the first year of a world language and remain in the Honors Program. Once deleted from the student’s transcript, the attempted courses cannot be used as prerequisites for other courses.

ISSUED: June 8, 1998
REVISED: April 27, 2011, December 17, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent
GRADUATION

The graduation requirements necessary to receive a diploma will meet the requirements of the Code of Virginia and the regulations of the State Board of Education. The types of diplomas and certificate awarded by the York County School Division (YCSD) are based on earning standard and verified credits. Beginning with students entering the 9th grade in 2011-2012, the diploma and certificate options offered are the 26 credit Advanced Studies Diploma, 22-credit Standard Diploma, 20-credit Modified Standard Diploma (only available for students entering 9th grade in 2012-13 and earlier), Special Diploma, and Special Certificate. The standard unit of credit for graduation is based on a minimum of 140 clock hours of instruction and successful completion of the requirements of the course. Students who have earned the standard unit of credit for the course, may also earn verified credit by passing SOL end-of-course tests in certain subject areas prior to high school graduation. The Modified Standard Diploma will not be an option for students with disabilities who enter the ninth grade for the first time after 2012-13. Credit accommodations will be provided to allow students with disabilities who previously would have pursued a Modified Standard Diploma the opportunity to earn a Standard Diploma.

Diploma options and Virginia graduation requirements for students entering 9th grade prior to 2011-12 are available at each middle and high school counseling office.

When students below the ninth grade successfully complete high school credit-bearing courses, credit shall be counted toward meeting the units required for graduation in grades 9-12. Specific requirements for each type of diploma are as follows:

26-Credit Advanced Studies Diploma

Each secondary school shall offer as an option for students, an Advanced Studies Diploma which requires a minimum of 26 units of credit (beginning with students entering 9th grade in 2011-2012) as outlined below. Students entering 9th grade for the first time in 2011-12 and beyond must successfully complete an economics and personal finance course. Students entering 9th grade for the first time in 2013-14 and later, must successfully complete one virtual course, which may be non-credit bearing, to graduate with an Advanced Studies Diploma.

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<tr>
<th>Discipline Area</th>
<th>Standard Units of Credit Required</th>
<th>Verified Credits Required</th>
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<tr>
<td>English</td>
<td>4</td>
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<td>Laboratory Science(^2)</td>
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<td>Fine Arts or Career and Technical Education</td>
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22-Credit Standard Diploma

To graduate from high school, students shall meet the minimum requirements for the 22-credit Standard Diploma as outlined below. Students entering 9th grade for the first time in 2011-12 and beyond must successfully complete an economics and personal finance course. Students entering 9th grade for the first time in 2013-14, must also earn a board-approved career and technical education credential to graduate with a Standard Diploma; and successfully complete one virtual course, which may be non-credit bearing. Students with disabilities may qualify to receive credit accommodations to earn verified credits in reading, writing, mathematics, science, and history. These credit accommodations include 1) use of VDOE approved substitute tests; 2) locally awarded verified credits; 3) use of the Virginia Modified Standards Test (VMAST) for Algebra I and EOC reading; and 4) in addition, minimum content courses can be established in the subject areas required for verified credits and flexibility can be provided in how the courses are delivered. Parts I and II of certain required courses may earn a standard credit towards the total number required in the subject area. Additionally, general education students may qualify to receive locally awarded verified credits for science and history/social science or use VDOE approved substitute tests.

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</tbody>
</table>

\(^1\) Mathematics: For the Advanced Studies Diploma, credits shall include at least four different course selections from among Algebra I, Geometry, Algebra, Functions, and Data Analysis (AFDA), Algebra II, or other mathematics courses above the level of Algebra II. AFDA must be taken prior to Algebra II for credit towards the advanced studies graduation requirement; if out of sequence, the course will count as a math elective. For the Standard Diploma, three credits must be earned at or above the level of Algebra I and shall include at least two different course selections from Algebra I, Geometry, Algebra, Functions, and Data Analysis, Algebra II, or other mathematics courses above the level of Algebra II. Computer Mathematics may be used in conjunction with Algebra I and Geometry to satisfy mathematics graduation requirements if the student also completes a career and technical concentration. Standard Diploma credit accommodations for students with disabilities may include three standard credits in mathematics that include Algebra I (Part I and Part II each count as one math credit) and Geometry (Part I counts as one math credit and Part II counts as an elective credit), and one
verified credit in mathematics. In order to receive math credit for Geometry Part I, students must also complete Geometry Part II.

2. **Science:** For the *Advanced Studies Diploma*, credits must be from at least three different science disciplines: Earth Science, Biology, Chemistry, or Physics or completion of the sequence of science courses required for the International Baccalaureate Diploma. For the *Standard Diploma*, credits must be from at least two different science disciplines.

3. **History & Social Science:** For the *Advanced Studies Diploma*, credits must include World History to 1500 AD or AP Human Geography, World History from 1500 AD to the Present or AP European History, Virginia and U.S. History, and Virginia and U.S. Government. The Superintendent or superintendent’s designee may waive specific local course requirements for transfer students or students moving out of the IB Diploma Program, as long as all requirements set forth by the Code of Virginia and State Board of Education are met. For the *Standard Diploma*, YCSD requires one additional History and Social Science credit beyond the minimum course and credit requirements required in the Standards of Accreditation (8 VAC 20-131-50) governing diploma requirements for the standard diploma. As stated in the Secondary Program of Studies, credit accommodations provide alternatives for eligible students with disabilities to earn verified credits required to graduate with a standard diploma. These credit accommodations include the use of alternative courses to meet the standard credit requirements. As such, the Superintendent or the Superintendent’s designee may permit, in limited circumstances, a student with a disability who qualifies for credit accommodations to earn a standard diploma by meeting the minimum requirements as outlined in the Standards of Accreditation. A division panel will review requests for consideration on a case by case basis.

4. **World Language:** For the *Advanced Studies Diploma*, credits must include three years of one language or two years of two languages.

5. **World Language, Fine Arts, or Career/Technical Education:** At least one of the two credits must be Fine Arts or Career/Technical Education.

6. **Electives:** For the *Standard Diploma*, credits must include two sequential electives. Students who are permitted to earn a standard diploma by meeting the minimum requirements as outlined in the Standards of Accreditation will be required to earn four elective credits.

7. **Virtual Course:** Students entering 9th grade for the first time in 2013-14 shall successfully complete one virtual course, which may be a noncredit-bearing course, or may be a course required to earn this diploma that is offered online.

8. **Career/Technical Education Credential:** Students entering 9th grade for the first time in 2013-14 shall earn a career and technical education credential approved by the Board of Education that could include, but not be limited to, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness assessment.
Special Diploma

In accordance with the requirements of the Standards of Quality, a student with disabilities who completes the requirements of his or her Individualized Education Program (IEP) and does not meet the requirements for other diplomas shall be awarded a Special Diploma. Students receiving Special Diplomas are eligible to receive special education services through the age of 21.

Special Certificate

Certain students who have completed a prescribed course of study as defined by YCSD are awarded Special Certificates if they do not qualify for diplomas.

In addition to the units of credit specified, each student must meet any other requirements of the Virginia Department of Education, except as otherwise provided for certain students with disabilities receiving special education.

ISSUED: April 22, 1994
REISSUED: November 28, 2000, January 31, 2001
REVISED: April 4, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
The following guidelines set forth procedures and criteria for awarding verified credits toward the Standard Diploma to certain students.

BACKGROUND INFORMATION
The Standards of Accreditation (8 VAC 20-131-10 et. Seq.) governing diploma requirements for the standard diploma states that students who entered the 9th grade for the first time during the school year of 2004-2005 or later must earn two (2) verified credits in English (one each in reading and in writing), one (1) verified credit in mathematics, one (1) verified credit in History / Social Science, one (1) verified credit in Science, and one (1) verified credit in a subject of the students’ choice. The Virginia Board of Education requires that local school boards adopt policies governing procedures to award local verified credit for the Standard Diploma for students.

Additionally, the Board of Education amended the Standards of Accreditation (SOA) in June 2012 to permit credit accommodations for students with disabilities pursuing a Standard Diploma. Each student’s Individualized Education Program (IEP) or 504 Plan determines whether credit accommodations are appropriate. In March 2013, the Board of Education approved guidelines for school divisions on allowable credit accommodations.

ENGLISH
Students must earn two (2) verified credits in English by passing the high school Standards of Learning tests in English/Reading and English/Writing as well as one verified credit in mathematics (Algebra I, Algebra II, or Geometry). As with all high school SOL tests, these tests may be retaken if the student does not pass on a first or subsequent attempt. Verified credits may also be earned by an acceptable score on approved substitute tests, including, among others, the ACT, SAT II English, Advanced Placement English tests, or TOEFL (Tests of English as a Foreign Language).

STUDENT CHOICE
Students must earn one verified credit in Social Science / History, one verified credit in Science (Biology, Earth Science, or Chemistry) and one school SOL verified credits in history/social science (U.S. History, World History I, or World History II.) as well as one additional verified credit in the student’s choice of mathematics, science, or social science/history. Verified credits may also be earned by an acceptable score on any of the approved substitute tests, including, among others, ACT, AP, SLEP, or SAT II.
ELIGIBILITY FOR LOCAL AWARD OF CREDITS IN SCIENCE AND HISTORY/SOCIAL SCIENCE

Students may apply for a local award of credits in science and history/social science if the student:

- Passed the high school course;
- Scored 375–399 on any administration of the Standards of Learning test (a score of 400 is passing);
- Has taken the test at least twice;
- Demonstrates achievement in the academic content through an appeal process administered at the local level; and
- Has earned fewer than four student-selected credits.

GENERAL PROVISIONS FOR LOCAL AWARD OF CREDITS

- For general education students, English and math verified credits may not be awarded by local school divisions.
- For students with disabilities with a current IEP or 504 Plan who meet the eligibility criteria for the use of credit accommodations, verified credits may also be awarded for reading, writing, and mathematics using similar criteria for awarding credits approved for all students for science and history.
- For general education students, no more than four verified credits may be awarded through this process for Science and Social Studies.
- For students with disabilities with a current IEP or 504 Plan who meet the eligibility criteria for the use of credit accommodations, there is no set maximum number of locally awarded verified credits that a student may earn towards a standard diploma.
- These guidelines may not be used to award verified credits for the Advanced Diploma.

ELIGIBILITY CRITERIA FOR THE USE OF CREDIT ACCOMMODATIONS FOR LOCALLY AWARDED VERIFIED CREDIT FOR QUALIFYING STUDENTS WITH DISABILITIES

The student must meet the following criteria to be eligible to receive credit accommodations for the Standard Diploma:

- Student must have a current IEP or 504 Plan with standards-based content goals.
• Student must have a disability that precludes him or her from achieving and progressing commensurate with grade level expectations, but is learning on grade level content.
• Student needs significant instructional supports to access grade level Standards of Learning (SOL) content to show progress.
• Based on multiple objective measures of past performance, student might not be expected to achieve the required standard and verified units of credit within the standard time frame.

ELIGIBILITY FOR LOCALLY AWARDED VERIFIED CREDITS THROUGH CREDIT ACCOMMODATIONS FOR QUALIFYING STUDENTS WITH DISABILITIES

Students with disabilities who meet the eligibility requirements for the use of credit accommodations may apply for a local award of credits in reading, writing, math, science and history/social science if the student:

• Passed the high school course;
• Scored 375–399 on any administration of the Standards of Learning test (a score of 400 is passing);
• Has taken the test at least twice; and
• Demonstrates achievement in the academic content through an appeal process administered at the local level.

YORK COUNTY SCHOOL DIVISION (YCSD) REVIEW PANEL

There shall be a review panel for the division. The YCSD review panel shall consist of:

• Division administrator
• School administrator
• School counselor
• Teacher of the content area selected for verified credit

Teachers on the panel will represent the four high schools and will serve a one-year term.

The local review panel will review information which provides evidence of the student’s achievement of adequate knowledge of the Standards of Learning content. The panel shall have discretion in determining the information to be considered and may include, but not be limited to, results of classroom assessments, division wide exams, course grades, and additional academic assignments (e.g., papers, projects, essay or written questions) as deemed appropriate.
Based on the evidence reviewed, the local panel may:

- Award the verified credit,
- Deny the verified credit,
- Suggest participation in a remedial program and retesting, or
- Make additional academic assignments as deemed appropriate prior to determining whether to award the verified credit.

Note: Locally verified credits will not be included in the calculation of a school’s accreditation rating.

**VERIFIED CREDIT WAIVERS FOR TRANSFERRING SENIORS**

Students transferring after 20 instructional course hours of their senior or twelfth grade year shall be given every opportunity to earn a Standard, Advanced Studies, or Modified Standard Diploma. If it is not possible for the student to meet the requirements for a diploma, arrangements should be made for the student’s previous school to award the diploma. If these arrangements cannot be made, the division superintendent may request waivers of the verified credit requirement for these students by providing a written request to the Department of Education no more than 90 calendar days prior to the student’s anticipated graduation date. The request for a waiver shall be submitted on forms provided by the Department of Education (SA.021 12/03) and shall include documentation that the student transferred from outside the state within a time frame that would not allow the student to meet the reduced verified credit provisions of 8 VAC 20-131-60.F of the standards as well as documentation of the efforts made to comply with the standard.

REVISED: April 19, 2007; September 6, 2013

REISSUED: December 17, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent
RELIGION IN THE SCHOOLS

A. Introduction

1. This regulation implements the School Board’s policy on religious instruction and released time in York County School Division (YCSD) schools.

2. This regulation establishes the framework in which YCSD administrators will decide issues arising from the topics addressed below. To this end, the regulation provides guidance by which school administrators can come to decisions based on specific fact situations.

3. Administrators must be mindful of their students’ diversity of religious beliefs. Rigid application of this regulation is not a substitute for an administrator’s good judgment.

4. As directed by the School Board’s policy, this regulation is based on Guidelines Concerning Religious Activity In the Public Schools, (Guidelines) adopted by the Virginia State Board of Education on June 22, 1995. Detailed legal commentary and references relevant to the topics below are available for further study in the Guidelines.

B. Guidelines

1. Scope

   a. These guidelines have no effect on:

      • an individual’s private religious expression or practices before school, during school, or during extracurricular activities;
      • an individual’s choice to wear religious attire or clothing with a religious message or to carry the Bible or other sacred texts with them in school;
      • an individual student’s attempt to evangelize or proselytize other students.

   b. These guidelines do not preclude students’ parents from requesting that they be excused from holiday celebrations, holiday pageants, physical education or a curriculum which violate sincerely held religious convictions.

   c. These guidelines do not preclude York County School Division administrators from thoughtfully considering any religious objection to YCSD practices or policies made by parents or students.
d. These guidelines enable school administrators to determine whether exemptions or exceptions to YCSD policies and practices can be provided in the interest of reasonably accommodating sincerely held religious beliefs.

2. Program of Studies

a. The Program of Studies will be neutral in the treatment of religion. The Program of Studies will neither promote religious belief or non-belief, nor be sanitized of all religious references or themes which may appear in educational materials relevant to the Program of Studies.

b. Additionally, parents and students have constitutional rights, in some circumstances, to exemption from assignments, materials or programs that substantially burden their religious tenets. Administrators will assess such requests for exemption on a case basis.

c. When appropriate, school administrators will give due consideration to identifying a suitable alternative that would allow students to opt-out of any instructional program in which participation would substantially burden the student’s religious tenets. Where such a burden occurs and the school administrator cannot show a compelling interest in requiring attendance, the student will be allowed to opt-out of the instructional activity.

d. The YCSD Program of Studies which is based on the Virginia Standards of Learning (SOL) includes a study of America’s religious heritage or an objective comparison of our religious pluralism. When presented objectively as part of the Program of Studies, courses in comparative religion, courses which study the history of various religions and their relationship to civilization, as well as courses which focus on the historic and literary qualities of religious materials are appropriate.

e. In the Program of Studies, religious music may be included in music classes, religious art may be included in art and humanities classes, the Bible and other religious texts may be studied in literature classes, and literature dealing with religious themes may be used in language arts development.

f. School and classroom libraries may include books with religious themes. Those courses specifically studying the Bible or other religious texts as literature, shall be taught as other courses offered at the same grade level and shall follow the Virginia Standards of Learning. The material will be balanced and objectively taught without attempt to indoctrinate religious belief or non-belief. Teachers of the course shall be assigned using objective standards without any religious test. Discussion of religious topics or materials shall be relevant to the curriculum and shall not occupy a disproportionate amount of class work. Course work should not include participation in a religious ceremony of any kind during or outside of class.
g. Religious symbols or religious texts, such as the Ten Commandments, may be posted on a temporary basis when they support division curriculum and Virginia standards on which teacher lessons are based. In no case shall such material be posted in YCSD schools where the purpose or primary effect is to advance religion.

h. Students have a right to express their religious values and viewpoints in their class work, assignments and work products to the same degree that students may express secular viewpoints. A student’s grade or evaluation must never be affected by his or her creed or religious belief or non-belief.

i. Student art projects can revolve around seasonal themes. Where the season has both secular and religious connotations, teachers will enable students to choose the treatment of the theme. Some students may prefer to depict a secular aspect of the season, while others may prefer to depict a religious aspect. So long as the expression is germane to the assignment, teachers shall not discriminate against students who prefer a religious theme or viewpoint over a secular one (or vice versa). Example: Where different students depict a manger scene, a menorah and "Frosty the Snowman," the teacher may display them all on an equal basis, or on the basis of their artistic merit, but may not discriminate in favor or against any of them on the basis of the religiosity or secularity of their themes.

3. Non-instructional Activities

a. Students will be excused from school to attend religious services or to observe religious holidays in conformance with YCSD procedures, including parental or guardian approval as necessary.

b. No York County School Board employee shall lead their classrooms in devotional exercises whether directly in class or over a public address system nor ask or designate a student volunteer to lead the class in a devotional exercise.

c. When a school conducts a study period or provides other times in which students are allowed to read materials other than those prescribed by the school curriculum, the students are free to read religious or secular material.

4. Student Non-instructional Time in School

a. During those periods of the school day when students are generally free to read on their own, or to gather together and/or talk among themselves about subjects of their own choosing, students are free to read religious literature of their own choosing, and to discuss religious themes with other willing students on the same basis as they might discuss secular interests and subjects.
b. Student-initiated and non-disruptive devotional activities during free time, such as "meet me at the pole" events prior to school, are permitted. York County School Board employees shall not encourage or discourage participation by students in such events. School administrators have the right and responsibility to protect school division property and to preserve order. Consequently, school administrators have the authority to determine the school facilities and permissible locations on campus for such activity. Such decisions should be made and applied evenly without favoring or discriminating against the activity solely because of its religious nature.

5. Student Dress

a. The School Board specifies a Student Dress Code as promulgated in the Student Handbook for each school year. The School Board also authorizes school administrators to issue additional guidelines.

b. Administrators should attempt to accommodate student’s religious attire as well as religiously based modesty concerns (e.g. in physical education classes).

c. In the absence of disruption to school activities, obscenity or lewdness, accoutrements of personal attire and other expressions of belief worn on a student’s person will be considered as protected speech. School administrators will not discipline students because they disagree with the underlying message, but may take reasonable action needed to promote order and address any disruptive effects of such student speech.

6. Holidays

a. The YCSD acknowledges a wide variety of holidays, some with religious origins and significance. The holidays can be reflected in delivery of the Program of Studies. In every case, administrators and teachers shall be sensitive fundamentally to "inclusion" not "exclusion" of students holding diverse religious viewpoints.

b. For those holidays having religious significance to some members of the York County community (e.g., Christmas and Easter) administrators will provide appropriate guidance to faculty and staff regarding the treatment of those holidays in delivering the Program of Studies. By force of popular culture over the course of America’s history those holidays having religious origins and retaining a religious significance for some have become transformed into non-sectarian facets of our national culture and heritage. Accordingly, school activities recognizing such holidays shall not promote or sponsor their religious implications.
c. Nevertheless, attributes of the holiday can be recognized in school activities providing the proper context is established for the activity. This context will assure fair balance and sensitivity to all students. For example, a musical program consisting solely of religious music is inappropriate but a program that features both religious and secular music is appropriate. Similarly, a solitary display of a Christmas tree or a menorah or a crèche is unacceptable while a combined display is appropriate, should such display be deemed relevant to the school’s activities during that part of the school year calendar. School administrators shall ensure that such displays arise from secular motives or goals arising from the Program of Studies, free of any desire to subtly indoctrinate students or faculty.

d. The Program of Studies enables faculty to teach students objectively about religious holidays, including their religious significance, without offending the Establishment Clause when presented as part of a secular education program.

e. School Administrators shall ensure that any student, so desiring, can opt out of holiday-related events and programs because of strongly held religious sentiments.

f. Devotional or strictly religious exercises rooted in a particular holiday are prohibited.

7. Student Absences Related to Religious Activity

The YCSD shall strive whenever feasible to avoid scheduling exams and special events on days when it is foreseeable that some students will be absent to celebrate religious holidays. Similarly, if a school gives awards for perfect attendance, recognition shall not be withheld from students whose only absence is necessitated by holidays where observance is prescribed by the student’s faith.

8. Teacher Expression of Religion

a. As public employees, and agents of YCSD, the speech rights of teachers are not absolute and must be balanced against the school’s legitimate right and duty to maintain order, perform its obligations to the population served, and avoid government sponsorship of religion. Teachers must be cognizant of their great influence in shaping student values and their overarching duty not to use their position to indoctrinate students into their religious beliefs or lack thereof.

b. As a general matter, neither the Free Exercise nor Free Speech clauses provide teachers an unqualified right to engage in religious expression with students at school. Because teachers play a central role in setting values for our children, they must also bear responsibility for their actions which impermissibly create a danger of establishing religion in YCSD, including misapprehension by pupils that the School Board sponsors the teacher’s viewpoint. Teachers should not lead students in devotional activities during class or school-sponsored activity, or encourage students to participate
with the teacher in religious activity before or after school. A teacher who wishes to participate in voluntary student, religious activity during free time should be careful that his or her participation is not misinterpreted by students as official sponsorship of religious belief. The circumstances of each case, including the maturity of the students and the context and duration of the event must be duly considered by the teacher and the school administrator involved.

c. A teacher may respond honestly, in a non-coercive, and non-indoctrinating manner, to student-initiated inquiries about religion, just as a teacher may respond in an appropriate manner to student inquiries about political, philosophical or other secular interests. Balance, degree and fairness are important considerations, and the specific question may best be answered by referring the student to his or her parents.

d. Teachers can meet with other teachers for private religious speech, including prayer, meditation and reading of religious materials, during their free time, such as immediately before or after class or during breaks or lunch. As professionals, teachers need to be careful however that their actions are not misinterpreted by students.

9. Graduation Ceremony

a. The YCSD does not sponsor any prayer as part of the graduation ceremony for any of its schools. No reference to prayer will be included in the ceremony’s printed program.

b. Students speaking during the graduation exercise will be selected on a strictly secular basis and school administrators will neither encourage nor discourage students as to religious references in their comments during the ceremony.

10. Baccalaureates

YCSD will sponsor no baccalaureate ceremony. Students and parents can organize privately sponsored baccalaureate service on private property before or following the graduation ceremony off the school grounds. Also, a school facility can be used by students and parents on the same basis as any York County community group pursuant to School Board Policy Manual File KG - COMMUNITY USE OF SCHOOL FACILITIES. Participation in such events is voluntary. School Board employees are free to attend such ceremonies as private citizens but can play no role in planning, organizing, controlling or supervising the event.

11. Release Time Programs
a. YCSD students will not be released during the instructional day for either group or individual religious instruction.

b. Use of school facilities by religious community groups outside school hours shall be granted on the same basis as other nonreligious community groups.

ISSUED: October 24, 2006
REVISED: January 8, 2008; September 6, 2013; December 17, 2013

Eric Williams, Ed.D.
Division Superintendent
STUDENT EVALUATION - ROUNDED GRADES AND COMPUTING GRADE POINT AVERAGES

Rounding Grades

In grades 3-12, when the cumulative grade is within .5 of the next higher letter grade, the grade will be rounded on the interim report and report card as follows:

<table>
<thead>
<tr>
<th>Cumulative Average</th>
<th>Rounded Cumulative Average</th>
<th>Letter Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>89.5 – 89.9</td>
<td>90</td>
<td>A</td>
</tr>
<tr>
<td>79.5 – 79.9</td>
<td>80</td>
<td>B</td>
</tr>
<tr>
<td>69.5 – 69.9</td>
<td>70</td>
<td>C</td>
</tr>
<tr>
<td>63.5 – 63.9</td>
<td>64</td>
<td>D</td>
</tr>
</tbody>
</table>

The default setting for the electronic gradebook will be set to round the cumulative grade that is calculated whenever a report is viewed or printed.

Computing Grade Point Averages

The following information describes the methods for computing Grade Point Averages (GPA) at different times in the academic year. The three variations are Full-Year Grade Point Average, Mid-Year Grade Point Average and Quarterly Grade Point Average. Each variation on the grade point average is divided into two (2) parts, a Regular GPA and a Bonus for weighted credits. The GPA is the sum of these two parts. The Regular GPA is taken by dividing the sum of the quality points by the sum of credits attempted. The Bonus is taken by dividing the sum of the weighted course credits attempted by the total number of periods the student has had available during the student’s time in high school.

How each of these four (4) values are determined varies greatly depending on which grade point average is being calculated: Full-Year Grade Point Average, Mid-Year Grade Point Average or Quarterly Grade Point Average.

If a student has not taken any weighted courses (See Secondary Program of Studies Registration & Information Guide for courses that are weighted), the GPA will simply be the Regular GPA determined by dividing the sum of the quality points by the sum of credits attempted. The Bonus for weighted credits is not utilized in the computation.

Transfer grades and credits from other school divisions will be accepted by the York County School Division provided the courses are compatible with local and state regulations. Weighted credits will be awarded only to those transfer courses that are also weighted in the York County School Division and will be computed according to YCSD procedure. If a transfer student completed a weighted course in
another school division prior to the academic year that the course was first offered for weighted credit by the York County School Division, the student will not receive weighted credit for the course.

DETAILED PROCEDURES

For all calculations, Quality Points are based on the following point scale:

<table>
<thead>
<tr>
<th>Table 1 – Point Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>A = 4 points</td>
</tr>
<tr>
<td>B = 3 points</td>
</tr>
<tr>
<td>C = 2 points</td>
</tr>
<tr>
<td>D = 1 point</td>
</tr>
<tr>
<td>F = 0 points</td>
</tr>
<tr>
<td>I = 0 points</td>
</tr>
</tbody>
</table>

Definitions:

Quality Points are the points assigned for a letter grade earned in all courses, see Table 1 – Point Scale.

Credits Attempted are the course credits a student has attempted regardless of grade earned – passing grades for pass/fail courses and the credits earned are excluded from all forms of the GPA calculation, but failing grades for pass/fail courses and the credits attempted are included in all forms of the GPA calculation.

Weighted Course Credits Attempted are the credits for courses designated as weighted.

Periods per Day for High School Years are the number of periods a student had available to take courses. For all calculations, Periods per Day are based on 7 Periods per day.

Case 1: Full-Year Grade Point Average
Steps for Computing Full-Year Grade Point Average

The following formula given in three steps is used for computing Full-Year GPA:

Step 1 - Regular GPA

$$\frac{\sum \text{Quality Points}}{\sum \text{Credits Attempted}}$$

Step 2 – Bonus

$$\frac{\sum \text{Weighted Course Credits Attempted}}{\sum \text{All Periods per Day for High School Years}}$$
Step 3 – GPA

Regular GPA + Bonus = Full-Year GPA

**Note for Regular GPA computation:** Determine the Sum of Quality Points by taking the summation of all credits earned for courses multiplied by the numeric value of the Final Grade assigned for the course. Determine the Sum of Credits Attempted by totaling the credit value for each course attempted (regardless of whether or not a passing grade was assigned for the course).

**Note for Bonus computation:** Determine the Sum of Weighted Course Credits Attempted by totaling the credit value for each weighted course attempted (regardless of whether or not a passing grade was assigned for the weighted course).

**Case 2: Mid-Year Grade Point Average**

Steps for Computing Mid-Year Grade Point Average - after completion of first semester of any given school year

The following formula given in three steps is used for computing Mid-Year GPA:

**Step 1 - Regular GPA**

\[
\frac{\sum \text{Quality Points with First Semester Grades Posted}}{2} + \frac{\sum \text{Credits Attempted for Course with Final Grades Posted}}{2}
\]

**Step 2 - Bonus**

\[
\frac{\sum \text{Weighted Course Credits Attempted with First Semester Grades Posted}}{2} + \frac{\sum \text{Periods per Day for Previous High School Years} \times \text{High School Year}}{2}
\]
Step 3 – GPA

Regular GPA + Bonus = Mid-year GPA

**Note for Regular GPA computation:** Determine the Sum of Quality Points with First-Semester Grades Posted in the same manner used to determine a full-year Sum of Quality Points - that is, take the summation of all of the full-year credits to be earned (potential credit) multiplied by the numeric value of the grade, except use the grade assigned for the first semester as opposed to the Final Grade (which will not have been assigned). Then, as stated in the above formula, divide by 2 to get the prorated Sum of Quality Points for the first semester. (As further explained below, do not divide by 2 the Sum of Quality Points for those first semester courses which were completed during the first semester and for which a Final Grade has been assigned.)

Determine the Sum of Credits Attempted with First-Semester Grades Posted in the same manner used to determine a full-year Sum of Credits Attempted - that is, total the full-year credit value to be earned (potential credit) for each course attempted (regardless of whether or not a passing grade was assigned for the course). Then, as stated in the above formula, divide by 2 to get the prorated Sum of Credits Attempted for the first semester. (As further explained below, do not divide by 2 the Sum of Credits Attempted for those first semester courses which were completed during the first semester and for which a Final Grade has been assigned.)

Add the Sum of Quality Points with First-Semester Grades Posted (caution, do not divide by two a second time) to the Sum of Quality Points from all completed years and courses, and add the Sum of Credits Attempted with First-Semester Grades Posted (caution, do not divide by two a second time) to the Sum of Credits Attempted for all completed years and courses before dividing the Sum of Quality Points by the Sum of Credits Attempted.

For computation of Quality Points see Table 1 – Point Scale.

**Note for Bonus computation:** Determine the Sum of Weighted Course Credits Attempted with First-Semester Grades Posted in the same manner used to determine a full-year Sum of Weighted Course Credits Attempted - that is, total the full-year credit value to be earned (potential credit) for each weighted course attempted (regardless of whether or not a passing grade was assigned for the weighted course). Then, as stated in the above formula, divide that sum by 2 to get the prorated Sum of Weighted Course Credits Attempted for the first semester. (As further explained below, do not divide by 2 the Sum of Weighted Course Credits Attempted for those first semester courses which were completed during the first semester and for which a Final Grade has been assigned.)

Add the Sum of Weighted Course Credits Attempted with First-Semester Grades Posted (caution, do not divide by 2 a second time) to the Sum of Weighted Course Credits Attempted from all completed years and courses, before dividing by Periods per Day.

**Note for both Regular GPA and Bonus with one semester courses included:**
If a student has finished a one semester course during the first semester and a final grade has been recorded for that course, then that course is added to the Sum of Quality Points, the Sum of Credits Attempted, and the Sum of Weighted Course Credits Attempted as if it had been taken in a previous
year. The Sum of Quality Points, the Sum of Credits Attempted, and the Sum of Weighted Course Credits Attempted for a completed one semester course taken in the first semester are not divided by 2 as are the Sum of Quality Points, the Sum of Credits Attempted, and the Sum of Weighted Course Credits Attempted for those two semester (full-year) courses being taken in the current year and for which a final grade has not been assigned because the student has finished the courses and a final grade has been assigned. If a student is taking a one semester course during the second semester, that course has no effect on the Mid-Year GPA calculation.

**Case 3: Quarterly Grade Point Average**
Steps for Computing a Quarterly Grade Point Average - GPA for the courses taken during one (1) specific quarter.

The following formula given in three steps is used for computing a Quarterly Grade Point Average:

**Step 1 - Regular GPA**

\[
\frac{\sum \text{Quality Points}}{\sum \text{Credits Attempted}}
\]

**Step 2 - Bonus**

\[
\frac{\sum \text{Weighted Course Credits Attempted}}{\text{Periods per Day for High School Year}}
\]

**Step 3 – GPA**

Regular GPA + Bonus = Quarterly GPA

**Note for Quarterly Computation:** Do not prorate the Sum of Quality Points, the Sum of Credits Attempted or the Sum of Weighted Course Credits Attempted. To determine the Selected-Quarter Sum of Quality Points, Sum of Credits Attempted and Sum of Weighted Course Credits Attempted take the summation of all credits expected to be earned for courses taken during the selected period multiplied by the numeric value of the grade assigned for the course for the selected quarter. However, for those courses where the expected credit is less than one (e.g., a one-semester course with an expected credit
of .5) use a whole credit. In other words, do not multiply the numeric value of the grade by .5, multiply it by one (1). Additionally, do not take into account grades for non-credit courses taken.

Treat the Selected Quarter as a complete entity, not as a prorated part of the whole.

For computation of Quality Points see Table 1 – Point Scale.

REVISED: July 27, 1992; August 16, 1993
REISSUED: April 22, 1994; April 25, 2001, March 20, 2014

Eric Williams, Ed.D.
Division Superintendent
EXAM EXEMPTIONS

End-of-course SOL test exemption provisions:
1. There will be an end-of-course exam exemption for any student who passes the SOL end-of-course test.
2. Students who pass the SOL test and still wish to take their regular exam may do so.
3. An automatic A/100 on the regular exam will be provided for any student who scores in the advanced category on the SOL end-of-course test.
4. If the SOL end-of-course test scores are not received prior to the beginning of the exam schedule, students will have to take the regular exam. Once SOL scores are received, students eligible for SOL exam exemption will have their grades recalculated using the option that is most beneficial to the student:
   a. If the regular exam grade benefits the student’s semester and final average, then the exam grade would be used and no grade change would be made.
   b. If the SOL exemption (either an exemption for pass proficient or a grade of 100 for pass advanced) benefits the student’s semester or final average, then the SOL exemption would be used to re-calculate the semester and final grade for the course.

Senior exemption provisions:
To be exempt from a final exam in a one credit course, a senior must have good citizenship in the class, receive no disciplinary notices during the school year, have no unexcused absences from the class, and have an “A” average for the course.

NOTES:
1. There is no exemption for exams in Virtual Virginia courses, semester courses or courses taken in Summer Academy.
2. Good citizenship is determined by the teacher.
3. An “A” average will be determined as follows:

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4. To report an exemption, the letter “N” (No Exam) shall be recorded in the semester exam grade box on the grade scan sheet.

ISSUED: November 23, 1999  
REISSUED: January 18, 2012; September 20, 2013; June 20, 2014  

Approved:  

Eric Williams, Ed.D.  
Division Superintendent
SECTION J
SECTION 504 NONDISCRIMINATION AND NONHARASSMENT
GRIEVANCE PROCEDURE

I. Section 504 Grievance Procedure

   A. Persons who believe that the school division has discriminated against them or
      harassed them because of their disability and thus violated Section 504 of the
      Rehabilitation Act ("Section 504") or Title II of the Americans with Disabilities Act
      ("ADA") can file a written grievance with the school division's Section 504
      Coordinator. See 34 C.F.R. § 104.7. Once a written grievance is received, the
      school division will investigate the allegations contained in the written grievance
      in an effort to reach a prompt and equitable resolution.

   B. A grievance may be filed by a student, the student’s parent or parents, or a
      school division employee. A grievance must meet the following requirements:

      1. The grievance must be in writing. At a minimum, it must contain (1) the
         nature of the grievance; (2) the facts upon which the grievance is based,
         including a list of all witnesses; (3) the remedy requested; and (4) the
         complainant’s signature and the date the grievance is filed.

      2. The written grievance must be filed with the school division’s Section 504
         Coordinator ("coordinator") at the following address:

            Section 504 Coordinator
            Director of Accountability and Instructional Services
            302 Dare Road
            Yorktown, VA 23692

      3. The grievance should be reported as soon as possible and should generally
         be made within fifteen (15) school days of the occurrence.

   C. The complainant must have the opportunity to present verbal and written
      evidence.

   D. The coordinator or designee will independently investigate the allegations to
      determine whether the school division is in compliance with Section 504. The
      coordinator or designee will provide a written report of the investigation within
      thirty (30) school days of receipt of the complaint. The report should include the
      following information:

      1. A statement of the complainant’s allegations and the remedy sought;
2. A statement of facts as contended by each party;

3. A narrative describing attempts to resolve the grievance;
4. A list of the witnesses interviewed and the documents reviewed during the investigation;

5. A statement of facts as determined by the coordinator or designee with reference to the evidence to support each fact;

6. The coordinator or designee’s conclusion as to whether the allegations are valid; and

7. If the coordinator or designee does determine that the allegations are valid, the report should include any corrective action determined by the coordinator or designee.

An extension of the thirty (30) school day time limit may occur if necessary as determined by the coordinator or designee. The complainant will be notified in writing of the extended time limit.

E. The complainant shall have an opportunity to make a written appeal to the school division’s superintendent within ten (10) school days of receiving the coordinator’s report. Following an appeal, the superintendent or the superintendent’s designee will review the complainant’s appeal along with the coordinator’s report and then respond in writing to the complainant within thirty (30) school days of receiving the appeal. The superintendent or the superintendent’s designee shall either confirm or disapprove the coordinator or designee’s decision.

An extension of the thirty (30) school day time limit may occur if necessary as determined by the superintendent or the superintendent’s designee.

ISSUED: May 16, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PUBLIC SCHOOL CHOICE PROCEDURES NO CHILD LEFT BEHIND (NCLB) ACT

1. By August 1 following the school year in which the YCSD administered assessments that resulted in a Title I school being identified as in need of school improvement, corrective action, or restructuring

   a. The school division has in place a plan to address the school choice requirement for a school identified as in need of improvement, corrective action, or restructuring.
   b. The school division designates more than one school of transfer option (based on the criteria for receiving schools) for the next school year.
   c. The school division collaborates with both the school of origin and identified schools of transfer to ease the transition of students whose parents select the choice option.
   d. The school division ensures that eligibility procedures for school choice are based on priority being given to the lowest achieving, low income students in the school.
   e. The school division determines transportation issues related to school choice.
   f. The school division determines funding issues related to school choice.

2. By the first day of the school year (or as soon as feasible after official release of test data) following the school year in which the YCSD administered assessments that resulted in a Title I school being identified as in need of school improvement, corrective action, or restructuring

   a. The school division informs in writing (certified mail) the parents of all students in the Title I school identified for school improvement of the public school choice options available to their children for the current school year.
   b. The school division provides parents with specific information about the school of transfer options, including school descriptions/data, transportation services, the length of time a student may remain in a school of transfer, and conditions related to school choice attendance. The entry date for attendance at a school of transfer is expected to occur within the first quarter of the current school year.
   c. The school division provides parents with the School Choice Enrollment Form on which they may elect the school choice option for their child, the school of transfer they prefer, and other related information.
   d. The school division requires that parents return signed School Choice Enrollment Forms no later than September 15 (or as soon as feasible after state release of test data).

3. By September 15 (or as soon as feasible after official release of test data) following the school year in which the YCSD administered assessments that resulted in a Title I school being identified as in need of school improvement, corrective action, or restructuring

   a. The school division receives signed School Choice Enrollment Forms from parents indicating their preference of the available school of transfer options.
4. By September 30 (or as soon as feasible after state release of test data) following the school year in which the YCSD administered assessments that resulted in a Title I school being identified as in need of school improvement, corrective action, or restructuring

   a. The school division confirms in writing to parents selecting school choice the school of transfer that their child will attend during the current school year, transportation details, and other related information.

   b. The school division informs both the Title I school designated for school improvement and the receiving schools of transfer of the status of students selecting the school choice option.

5. When the student’s school of origin is no longer identified for improvement

   a. The school division informs the parent in writing that the child may continue to attend the school of transfer until he/she completes the highest grade in that school but that the YCSD is no longer obligated to provide transportation to the school of transfer.

Attachment

ISSUED: March 25, 2005

REISSUED: June 24, 2014

LEGAL REFERENCE: 34 CFR §200.44

Approved:

Eric Williams, Ed.D.
Division Superintendent
BIRTH CERTIFICATE REQUIRED UPON ENROLLMENT

1. Any adult enrolling a child in a York County school after July 1, 1990 shall present, upon admission, a certified copy of the child’s birth record IF the child previously has not been enrolled in a Virginia public school. The principal or his designee shall record the official state birth number from the pupil’s birth record. However, if the student seeking enrollment is a homeless child or youth as defined in the Code of Virginia §22.1-3, the school shall immediately enroll such student, even if such student is unable to produce the records required for enrollment, and shall immediately contact the school last attended by the student to obtain relevant academic and other records, and shall comply with the provisions of the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.), including immediately referring the parent of the student or the youth to the local school division liaison, as described in the federal Act, who shall assist in obtaining the necessary records for enrollment.

2. In all cases, if the adult is unable to present a certified copy of the child’s birth record, the adult shall execute the affidavit, Form I-14.

3. On an individual case basis, the Division Superintendent can enroll a child without a birth certificate per Virginia Code Section 22.1-3.1 if the person submitting the affidavit, Form I-14, presents information sufficient to establish with reasonable certainty the age of the child.

   THIS AFFIDAVIT SHALL BE COMPLETED PRIOR TO ENROLLMENT.

4. When the provisions of paragraph 2 above apply, the school principal shall IMMEDIATELY submit the memorandum report, Form I-22, to the York County Sheriff.

5. Within 14 days after enrolling a transferred pupil, the principal of the school in which the pupil has been enrolled shall request that the principal of the school in which the pupil was previously enrolled submit documentation that a certified copy of the pupil’s birth record was presented upon the pupil’s initial enrollment (Form I-23).

ISSUED: October 31, 1990

REISSUED: September 26, 1991; August 29, 1995

LEGAL REFERENCE: Code of Virginia 22.1-3.1

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROOF OF DOMICILE IN YORK COUNTY UPON ENROLLMENT OF NEW PUPILS

BACKGROUND

Attendance in York County School Division schools is free to children of parents who reside in York County.

Attendance shall also be free to other pupils living with:

- court appointed guardians,
- persons having legal custody of the pupil,
- other persons standing in loco parentis of a dead parent.

Attendance shall also be free to children living in York County with adults seeking to become their legal guardians or seeking legal custody of the children provided the Division Superintendent determines such action is underway not solely for the purpose of enrolling in York County School Division schools.

DETAILED VERIFICATION PROCEDURES

1. Enrollment of Children Claiming to Reside in York County.

Upon application for enrollment for the first time in a York County School Division school, the parent or other adult having custody of the child as discussed above, shall present to office staff of the school in which enrollment is sought, one of the following documents to prove the adult resides in York County. Adults in the process of seeking guardianship or legal custody will follow the procedures listed in paragraph 2 below.

- current automobile registration showing the adult’s name and York County address
- the most recent Virginia Power bill showing the adult’s name and York County address
- the most recent Bell Atlantic bill showing the adult’s name and York County address
- the most recent Newport News Waterworks bill showing the adult’s name and York County address
- Personal Property Tax/Rental Contract/Rent receipt

2. Enrollment of Children by Adults Seeking Guardianship/Legal Custody of the Children.

Adults in this category will provide one of the documents listed in paragraph 1 above to prove their current York County residence. Also, the adults will submit a letter to the Director of School Administration describing in detail the reasons for the effort to be named guardians or
for being granted legal custody. The Director of School Administration will conduct follow up interviews with the adults as necessary to verify the purpose of custody is not solely for the purpose of attending York County School Division schools. Upon verification that custody is not solely for the purpose of attending a York County School Division school, the Director of School Administration will recommend to the Division Superintendent that the children affected be enrolled in the appropriate school. Upon the Division Superintendent’s approval, the appropriate adults and school principal will be informed in writing of the decision.

ISSUED: August 21, 1997

REISSUED: August 25, 2006; June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
STUDENTS ENROLLING FROM PRIVATE SCHOOLS

Students who apply to magnet programs in the York County School Division from private schools will be reviewed for acceptance after all eligible candidates who are current York County students have been admitted. Students from private schools will be admitted to York County School Division magnet programs on a tuition and space-available basis if they meet the criteria for the program.

ISSUED: March 29, 2001

REISSUED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ADMISSION OF NON-RESIDENT STUDENTS TO SPECIAL PROGRAM OFFERINGS

Students enrolled in other public schools who apply to magnet programs in the York County School Division will be reviewed for acceptance after all eligible candidates who are current York County students have been admitted. Acceptance of out-of-the-division students will be made on a tuition and space-available basis if they meet the criteria for the program.

ISSUED: March 29, 2001
REISSUED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
STUDENT ABSENCES AND EXCUSES

A. Pupils must be regular and punctual in attendance.

B. Pupils absent more than ten days in a given year may require physician’s notes for absences. Pupils who accumulate five unexcused absences in a given year will be referred to the school division Attendance Officer.

C. The only legitimate reasons for absence or tardiness should be:

1. illness.
2. death in the immediate family.
3. doctor or dental appointments not possible to be scheduled on non-school time.
4. exceptional circumstances as determined by the building principal.

D. In all cases of absence or tardiness, the parent will give in writing an excuse stating the cause of absence or tardiness. Absence for any reasons other than those stated must be with the advance permission of the principal. Such absence requests should be made in writing and should state the reason for absence and the time of absence. All notes of excuse or requests to leave school will be preserved until the close of school term and the principal will be the judge of the validity of the notes.

E. At the opening of the school term, each principal will issue to all teachers within the school appropriate instructions and guidelines for consistent handling of absences. These guidelines will make it clear what are excused absences and what are unexcused absences. These guidelines will also give to all teachers clear instructions on what to do about accepting make-up work and handling of tests or examinations that may have been missed.

F. Additional Attendance Regulations:

1. No pupil will be permitted to leave the school premises during the school day except for illness or other serious cause and then only with the written permission of the principal.
2. Pupils will not be permitted to leave school during the instructional day for private instruction in music, dancing, or dramatics, etc.

G. Students receiving Temporary Assistance for Needy Families (TANF) must comply with Compulsory School Attendance requirements. When a TANF student has fallen outside the
guidelines of Compulsory Attendance, the school will notify the Department of Social Services.

H. Nothing in the foregoing will be construed as preventing the principal from exercising discretionary power to excuse pupils from school upon written request from parent or guardian in advance of the absence, stating the reason therefore, if in his judgment such absence is necessary or desirable.

The Student Code of Conduct specifies consequences for student violations of this policy.

ISSUED: June 20, 1988
REISSUED: August 29, 1995
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
REQUEST TO PREVENT OR RESTRICT CONTACT BETWEEN A STUDENT AND A PARENT

A request by one parent that a student have no contact or restricted contact with the other parent will be processed as follows:

1. The principal shall:
   a. Secure the request in writing on the form in this regulation.
   b. Attach to the request a copy, provided by the requesting parent, of any legal documents addressing child custody.
   c. Forward a copy of the request and legal documents to the Associate Director of School Administration for submission to the County Attorney for legal interpretation and recommendation.

2. The County Attorney will advise the Associate Director of School Administration who will advise the principal accordingly.

3. The request shall be honored while it is being processed. If a parent denied contact arrives at school and demands the student, the principal immediately shall notify the Associate Director of School Administration, or in his/her absence, the Superintendent. Arrangements will be made immediately with the Office of the County Attorney for legal consultation and advice. In the interim, the student shall not be released.

REISSUED: August 29, 1995; August 25, 2006

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR KEEPING ATTENDANCE RECORDS

Teachers

Teachers will keep an accurate daily record of attendance in their class record book.

At a designated time each home room teacher will furnish the principal with a list of pupils absent for the day. This list should include the same names of pupils recorded as having been absent on the teacher’s attendance records for that day.

Each principal will advise his/her teachers as to the procedure that his/her school will follow in recording late pupils.

Principals

Each day the principal will collect from teachers a list of pupils absent for that day. These absences will be recorded on the computerized attendance system by the attendance secretary or clerk. At regular intervals the attendance kept by the computer system will be verified by the teacher.

Directors

Social Services shall be notified if a student is receiving Temporary Assistance for Needy Families (TANF) and is not attending school regularly except with an excused absence. Social Services shall also be notified if that student is not enrolled in school at any time during a month. Notification shall be made by the Director of School Administration

Reports

1. Within 10 days after the opening of school each principal will submit to the Superintendent a list of pupils between the ages of 5 and 17 years who are not enrolled in school. This is known as the "Ten Day Non-Enrollment Report."
2. Each principal will furnish summary reports of pupil attendance to the Superintendent at the end of each calendar month and at such other times as directed.

ISSUED: June 20, 1988
REISSUED: August 29, 1995; August 25, 2006
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PORTABLE COMMUNICATION DEVICES ON SCHOOL GROUNDS OR AT SCHOOL FUNCTIONS

School Board Policy File JFC Student Conduct provides that the Division Superintendent, by regulation, will establish rules for use or possession of beepers and other portable electronic communication devices on school property or while attending school functions or activities. Violation of such rules may be considered disruptive behavior, a conduct violation under File JFC Student Conduct of the York County School Division Policy Manual.

To avoid disruption of the instructional process, students shall not display, use or activate portable communication devices or other electronic devices during the instructional day, during after-school activities or on the school bus with the exception of structured Bring Your Own Technology (BYOT) instructional activities supervised by a classroom teacher (see BYOT below). The instructional day includes, but is not limited to, lunch breaks, class changes and other structured instructional activities that occur during the normal school day. Students must ensure that such devices are turned off and out of sight during the instructional day, during after-school activities and on the school bus. Items that disrupt instruction may be confiscated by school personnel. Confiscated items will only be returned to parents at the end of the school day.

Bring Your Own Technology (BYOT)

Third and fourth graders are allowed to bring privately owned e-Reader devices to school for the purpose of “Independent Reading” during appropriate instructional times as designated by the teacher. Students may not use these devices to access the Internet using any WiFi or private 3G or 4G subscriptions through their own Internet provider.

Students in grades 5 through 12 are allowed to use privately owned electronic devices to access the YCSD wireless network. This wireless access by privately owned electronic devices is to be used as a means to enhance the students’ classroom educational experience. All students will have the opportunity to participate in the instructional activity, regardless of whether they provide their own personal devices. Permission to bring and use privately owned devices is contingent upon adherence to the following guidelines. Failure to comply with the guidelines established will result in disciplinary action.

General Rules
1. Each student has the privilege of requesting that their privately owned electronic “Internet ready” device(s) be added to the YCSD wireless network by completing and submitting the Student/Parent Technology Usage form to the school’s front office staff.

2. Requests to connect a privately owned electronic device may be denied if it is determined that there is not a suitable educational basis for the request and/or if the demands on the school’s network or staff would be unreasonable.

3. No privately owned electronic device may be attached to any YCSD network without prior approval to do so.

4. All information related to the privately owned electronic device(s) that is requested by the Student/Parent Technology Usage form will be submitted by the student prior to any approval.

5. No privately owned electronic device should ever be connected by cable to the school system network. Network access is provided via Wi-Fi wireless connection only. No one is allowed to connect a privately owned electronic device to the network by an Ethernet cable plugged into a data jack in the school. Violation will result in disciplinary action and revocation of access to the network.

6. Teacher permission is necessary for student use of a privately owned electronic device during classroom instruction or the class period. Voice, video, and image capture applications may only be used with teacher permission and for specific instructional purpose(s).

7. The use of the privately owned electronic device is solely limited to support the instructional activities currently occurring in the instructional environment and must be turned off and put away if requested by the teacher.

8. All sound should be muted unless the teacher grants permission for use of sound associated with instructional activities.

9. No student shall be directed to share a privately owned electronic device with another student.

10. No student shall knowingly attempt to gain access to any computer, computer system, computer network, information storage media, or peripheral equipment without the consent of authorized school or division personnel.

11. No student shall install division-owned licensed software on their privately owned electronic device.

12. No student shall establish a wireless Ad-hoc network using his/her electronic device or any other wireless device while on school grounds. This includes, but is not limited to using a privately owned electronic device as a cabled or wireless hotspot.

13. No student shall use any computer or device to illegally collect any electronic data or disrupt networking services. Students may not engage in any malicious use, disruption or harm to the school network, Internet services, or any other electronic device owned by the school, any school personnel and/or student.

14. Students may not attempt to, or use any software, utilities or other means to access Internet sites or content blocked by Internet filters.

15. Students have no expectation of privacy in their use of a privately owned electronic device(s) while at school. The school reserves the right to search (Code of Virginia § 22.1-279.6) a privately owned electronic device in accordance with applicable laws and policies.
if there is reasonable suspicion that the student has violated the laws of the Commonwealth of Virginia, YCSD policies, administrative procedures or school rules, or engaged in other misconduct while using the computer.

16. Division software does not filter inappropriate content for devices accessing the Internet through private subscriptions. Parents are encouraged to have their own security and filtering controls on these devices.

17. Students using cell phones and other devices are prohibited from accessing the Internet through their personal Internet Service Provider while at school. The York County School Division is not responsible for any financial obligations resulting from calls, Internet access, application downloads, or messaging services not provided by the division.

ISSUED: June 8, 1998

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SERVICE ANIMALS IN PUBLIC SCHOOLS

An individual with a disability is permitted to be accompanied by his/her service animal on school property when required by law, subject to procedures established by the York County School Division. A person who wants to be accompanied by his/her service animal must make a prior written request of the school’s principal if the service animal will come into a school. For all other locations within the school division, prior written request must be made to the Division Superintendent or the superintendent’s designee. These requests must be renewed each school year. All service animals and pets are considered personal property and may not be brought onto school property without prior approval.

A “service animal” means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability, if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Specific criteria for making this determination are outlined in the SOP for Service Animals in Public Schools.

This regulation establishes the following criteria by which the request for a service animal will be evaluated prior to being allowed on school property:

1. Is the dog a “trained service dog”?
2. What task(s) and/or function(s) does the dog perform that directly relates to and/or mitigates the student’s disability?
3. Does the dog and its primary handler have any documentation of training? (Information may be requested but is not required.)
4. Does the dog have a current health certificate?
5. Does the dog meet all minimum standards for a service dog?
6. Will the presence of the animal interfere in any way with the school staff’s ability to implement the IEP? If so, how?
7. Who will be the handler of the dog? If it is the student, can the student handle the animal?
8. If the primary handler is not the student or the parent/guardian of the student, is the handler otherwise qualified to be on school property? (Criminal and CPS background check required)
9. Are there students with allergies to pet dander or phobias of dogs in the classroom(s) that the service animal is being requested to be included in?

Any “No” response may result in denial of access of the animal.
It is expected that a service animal be under the control of its handler at all times. The service animal must have a harness, backpack, vest identifying the dog as a trained service dog, leash or other tether, unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or its use would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up. The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

If the parent requests that a school employee be the handler of the service animal for educational reasons, the IEP team should meet to determine whether this service is required for a free, appropriate education for the student.

A service animal may be removed from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division’s Section 504 Coordinator.

Detailed procedures are provided in the SOP for Service Animals in Public Schools.

ISSUED: March 24, 2014
APPROVED: March 24, 2014

Eric Williams, Ed.D.
Division Superintendent
NOTICE OF PRIOR EXPULSION

As required by the Code of Virginia (Section 22.1-3.2) students applying for admission are required to provide a sworn statement indicating whether the student has been expelled from school attendance for a violation of school board policies related to weapons, alcohol or drugs, or for the willful injury of another person (Affidavit of Prior School Expulsions, Certificate of Non-Expulsion, Form I-6). Any person making a false statement shall be guilty upon conviction of a class 3 misdemeanor.

If the parent affirms that the student has no prior expulsions, registration is completed and the signed registration forms are filed in the student’s cumulative folder. The Affidavit of Prior School Expulsions, Form I-5 should be completed for any student who has a prior school expulsion and placed in the student’s cumulative folder. Contact should be made with the Associate Director of School Administration immediately. The student is not to be enrolled until an administrative hearing is held.

The procedures to follow should the Affidavit of Prior School Expulsions be completed are as follows:

1. The school registers the student to enable the school to gather information and request records. The school informs the parent/guardian that enrollment of the student will depend on the outcome of a hearing with the Associate Director of School Administration.

2. The school sends copies of the form and any information received at registration to the Associate Director of School Administration.

3. The Associate Director of School Administration notifies the Superintendent.

4. The school and parents are notified by the Associate Director of School Administration of the results of the hearing. If approved, the student may enroll immediately.

ISSUED: August 26, 1993
REISSUED: August 29, 1995; August 7, 2006
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROCEDURES FOR CONSIDERATION FOR EXPULSION

The following procedures apply for a case in which a student is suspended pursuant to School Board Policy File JGD/JGE and the school principal believes the student should be expelled from school.

1. Immediately upon suspending the student the principal or assistant principal will inform the student that expulsion may be recommended as the final disposition of the case.

2. Before leaving the school building that day, the principal or assistant principal who suspended the student will notify the Associate Director of School Administration, the Director of School Administration or the Superintendent of the suspension and precipitating event.

3. The Associate Director of School Administration will notify the Director of School Administration/Superintendent of the suspension and precipitating event. The Associate Director of School Administration will coordinate the hearings.

4. The principal will complete Form I-8 and forward the form to the Associate Director of School Administration within one working day of the event.

5. Upon receipt of Form I-8 the Associate Director of School Administration will conduct a hearing to make a recommendation to the Superintendent.

   a. A formal hearing will be conducted by the Associate Director of School Administration and attended by the student, parents, principal or assistant principal and other appropriate witnesses.

   b. The hearing will be completed within 10 days of the student’s suspension.

6. Upon completion of the hearing the Superintendent will decide whether to recommend expulsion to the School Board. If the Superintendent recommends expulsion:

   a. The Superintendent’s office will schedule a tentative date for the potential hearing with School Board members.

   b. The Director of School Administration or designee will notify the student and parents in writing of the Superintendent’s recommendation and will state the specific violation(s) of the Student Conduct Code on which the recommendation is based.
c. The Director of School Administration or designee will inform the student and parents in the same document referenced in 6.b of the time and place of the School Board expulsion hearing or he/she will state that the student and parents will receive written notice of the time and place of the School Board's expulsion hearing.

d. The Superintendent or designee will advise the student and parents that the student shall continue on suspension from school until the School Board's expulsion hearing.

7. A written summary of the procedures for the hearing and a clear statement of the student's procedural due process rights at the hearing will be attached to the written notice of the time and place of the School Board's expulsion hearing.

8. The School Board's expulsion hearing will be conducted in accordance with procedures adopted by the School Board.

ISSUED: August 29, 1995

REISSUED: November 1, 1995; August 25, 2006; June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
STUDENT WELLNESS

A. Introduction

1. This regulation implements the School Board’s policy on student wellness in York County School Division schools.

2. Provided are guidelines for implementing and evaluating the effectiveness of the School Board’s student wellness policy.

3. As directed by the Virginia Department of Education, this regulation is based on Supts. Memo No. 7 dated May 20, 2005. Detailed information about local wellness policy requirements can be found in this document.

B. Implementation

Each school shall establish a School Wellness Team to include, at a minimum, the school principal or designee, the school nurse, and the school health and physical education department chairperson or lead teacher. The manager of school food services and the instructional specialist for health and physical education will serve on school-based teams in an advisory capacity.

C. Food Distribution and Student Access

1. The manager of school food services/designee, at the opening of each school year, will provide to each building principal definitions of food nutritional values, United States Department of Education and Virginia Department of Education regulations dietary guidelines. This information will then be posted in the school’s main office or in the cafeteria.

2. Information about foods and nutrition will be provided to parents in the Student Handbook.

3. Principals will ensure that vending machines available to students contain food products which satisfy United States Department of Agriculture and Virginia Department of Education regulations. i.e., items which are either low fat, sugar-free or contain reduced portions. Student access to vending machines shall be restricted during the regular school day. The Health Advisory Committee annually will submit to the manager of food services, a list of suggested healthy snacks for vending machines available to students.

4. Principals will schedule lunch periods between the hours of 10:00 a.m. and 1:30 p.m. including appropriate time for student personal hygiene prior to mealtimes.
5. Principals will make every effort to provide students with at least 10 minutes for breakfast and 20 minutes for lunch after food is served.

6. York County School Division administrative staff will provide to students and parents nutritional information through literature posted on the division website as well as on individual school websites.

D. Physical Activity

1. Daily elementary school schedules will provide students time for physical activity. Secondary school administrators will provide all students the opportunity to participate in physical education classes, intramural events, clubs, and athletic programs.

2. Administrators will not withhold recess as punishment at the elementary level except in cases of student safety.

3. The Student Handbook will provide information on recommended physical activity guidelines for students.

4. Principals will work cooperatively with community organizations in creating opportunities for students to participate in physical activity with parent approval.

5. Schools will disseminate information for life-long wellness through physical activity (i.e.; parent universities, newsletters, Connect-Ed).

6. School facilities will be available after school hours for organizations that offer opportunities for physical activity and/or nutrition information according to facility use regulations.

E. Food Safety and Security

1. Access to the food service facilities will be limited to Food Services staff and other authorized personnel.

2. All foods served in schools will comply with the state and local food safety and sanitation regulations.

F. Evaluation of Wellness Policy

1. On an annual basis, the Director of School Administration or designee will notify school principals of the timeline for evaluating the school wellness program. The Governor’s Nutrition and Physical Activity Scorecard and Awards Program will be used to evaluate the effectiveness of the Division’s wellness policy at each school. A copy of each school’s
scorecard will be provided to the superintendent and the School Health Advisory Committee.

2. The manager of food services will provide an annual report to the Director of School Administration outlining steps taken to ensure compliance with the wellness policy.

ISSUED: January 8, 2007

REISSUED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
PROTECTIVE EYE DEVICES

Every student, teacher, and visitor shall wear industrial quality eye protective devices while participating in any courses or laboratories as follows:

1. Art, science, vocational or other laboratories involving experience with:
   a. hot molten metals
   b. milling, sawing, turning, shaping, cutting, grinding, or stamping of any solid materials
   c. heat treatment, tempering or kiln firing of any metals or other materials
   d. gas or electric arc welding
   e. repair of any vehicle
   f. caustic or explosive materials
   g. mixing of laboratory chemicals

"Industrial quality eye protective devices" is defined as devices with side protection and meeting the standards of the American Standards Association Safety Code for Head, Eye, and Respiratory Protection.

REISSUED: August 29, 1995

REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
ADMINISTRATIVE REGULATION - COMMUNICABLE DISEASE

The following procedures have been developed as a guideline for school and departmental administrators who identify or suspect communicable disease in the school setting.

1. Contact the Public Health Department to obtain guidance and to assist in making decisions regarding exclusions.

2. If it is the judgment of the Public Health Department, after consultation with private physicians or other public health officials, that an infectious or communicable disease is present in the school division and that there is a significant risk of transmission thereof or that the risk of transmission is unknown, the administrator shall contact the Superintendent and the student will be excluded from school, until the Communicable Disease Review Panel is convened.

3. The Superintendent shall establish a Communicable Disease Review Panel consisting of a physician, a Public Health Department representative, Coordinator of Special Services, Visiting Teacher, and a school division representative to review all pertinent information and make recommendations to the Superintendent. Persons contributing information to the Panel shall include the attending physician, principal, teacher(s) and parents of the student.

4. A medical evaluation of the student shall be obtained and the results submitted to the school division, for use by the Panel in making its recommendations.

5. The Panel will meet and review all pertinent information and make recommendations to the Superintendent within five (5) school days following the exclusion of the affected student. The recommendations shall include, but not be limited to, review of a timetable regarding future school presence.

6. Within five (5) school days following his/her receipt of the report of the Panel, the Superintendent shall notify the parents of the affected student of his decision to readmit or to continue to exclude such student from the school or workplace. Any person aggrieved by the decision of the Superintendent may appeal to the School Board.

7. Confidentiality and the right to privacy regarding the affected student will be maintained by all persons involved.
8. All information regarding students suspected of or diagnosed as having infectious, communicable or transmittable diseases shall be disseminated through the office of the Superintendent.

9. The School Board shall reexamine the regulations and policies as new facts become known.

ISSUED: June 20, 1988

REISSUED: August 29, 1995; June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
Suspected Child Abuse or Neglect Reporting Procedures

Background

School Board policy JHG requires employees to immediately report cases of suspected child abuse or neglect. Specific procedures for reporting suspected cases of child abuse or neglect are outlined below.

I. Abused or Neglected Child

The Code of Virginia §63.2-100 defines an abused or neglected child as any child under the age of 18 whose parent or other person responsible for the child’s care:

A. Causes or threatens to cause non-accidental physical or mental injury.
B. Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing or health care.
C. Abandons the child.
D. Commits or allows to be committed any illegal sexual act upon the child or allows a child to be used in any sexually explicit visual material.
E. Fails to provide adequate supervision in accordance with the child’s age and level of development.
F. Has a child present during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or during the unlawful sale of such substance.
G. Creates a substantial risk of physical or mental injury by leaving the child alone in the same dwelling with a person to whom the child is not related by blood or marriage and who the parent or other person responsible for the child’s care knows has been convicted of an offense against a minor for which registration is required as a violent sexual offender.

II. Mandated Reporters

Every employee of the York County School Board who, in his or her professional or official capacity, has reason to suspect that a child is an abused or neglected child, in compliance with the Code of Virginia §63.2 - 1509, shall immediately report the matter to the Department of Social Services (DSS) of the county or city where the child resides or where the abuse or neglect is believed to have occurred.

III. Reporting Procedures

A. Employees shall report any case of suspected child abuse or neglect immediately to (DSS) and allow Child Protective Services (CPS) personnel to determine if a child abuse or neglect investigation is warranted. The obligation to report suspected child abuse or neglect is not discretionary.
B. Employees reporting cases of suspected abuse or neglect should not inform the parents or guardians that a report has been made to DSS. Notification to parents or guardians will be made by DSS.
C. Employees must also report the suspected case of abuse or neglect to their principal or supervisor.
D. Immediately following the report to DSS, the principal or supervisor shall inform the Director of School Administration (DSA) that a report of suspected child abuse or neglect has been made. The principal or supervisor shall also forward a copy of the Suspected Child Abuse or Neglect Referral Form (Attachment I) to the DSA.
E. A new report shall be filed for each incident of suspected abuse or neglect even if it involves the same child.
F. If the person suspected of the abuse is the principal or supervisor, the report shall be made directly to the Chief Human Resources Officer (CHRO). In this case, the CHRO shall make a report to DSS.

G. Employees should never conduct an investigation of the abuse or neglect of a child. They shall only report the suspected abuse or neglect in accordance with procedures in this regulation.

H. Employees making reports for suspected child abuse or neglect shall be immune from civil or criminal liability unless it is proven that an employee acted with malicious intent.

IV. Child Protective Services Investigations

A. When CPS investigations occur on school grounds, the principal shall provide a private room or space for CPS personnel to conduct the interview after proper identification has been provided.

B. The principal shall allow CPS personnel investigating child abuse or neglect complaints to talk to the child or siblings without the notification or consent of and outside the presence of the parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel in accordance of the Code Virginia §63.2-1518.

C. The interview shall be private, without the presence of school personnel. However, school personnel may be present during the interview if requested by CPS personnel. Information divulged under this circumstance shall be held in a confidential manner by school personnel.

D. The principal shall provide CPS personnel with requested information including address, home, work, and cellular telephone numbers of the child's parent and guardians, emergency contact information and all information that establishes the basis of the complaint.

E. The procedures in this Section IV shall also apply to law enforcement personnel investigating suspected cases of child abuse or neglect.

V. Notice of Reporting Requirement

Each school shall have a notice posted indicating that any teacher or other person employed there who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report such suspected cases of child abuse or neglect to the Department of Social Services.

VI. Consequences of Non-Compliance with Reporting Requirements

In accordance with the Code of Virginia §63.2-1509, a School Board employee who fails to file a report within 24 hours of having reason to suspect a reportable offense of child abuse or neglect may be fined not more than $500 for the first failure and for any subsequent failures not less than $1,000. In cases involving acts of rape, sodomy, or object sexual penetration, a person who knowingly and intentionally fails to make the report may be found guilty of a Class 1 misdemeanor.

School Board employees who knowingly fail to comply with this regulation are subject to disciplinary action up to and including termination.

ISSUED: February 6, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent
S.REG.-JO

RECORDS

Disclosure of pupil records, with exceptions as cited in the law, will be made with the written consent of the parent or legal guardian of the student or the eligible student, an eligible student being defined as one who has attained his eighteenth birthday and who has the same rights as the parent of a student. Disclosure of pupil records without consent of the parent of the student or the eligible student will be made only to authorized persons as defined by law and only with the approval of the principal or his designee including those records containing distance learning instruction. Students assigned clerical duties in the schools will not have access to pupil records. Directory information is authorized for release to appropriate organizations and news media as well as certain publications, such as athletic programs, cast lists for dramatic publications, and graduation lists unless the parent or eligible student requests that it not be released. A log will be kept in each student’s folder listing all persons reviewing the record and the reasons for the reviews.

A. Records Review

The parent of a student or an eligible student has the right to review the scholastic record of the student. The procedure to be followed in arranging for the review is as follows:

1. A request from the parent of a student or from an eligible student will be honored immediately, if feasible, or within a reasonable time not to exceed 10 days.

2. The parent of a student or an eligible student who believes that any information in the record is inaccurate or misleading or violates any rights of the student may request that the records be amended. A grade is not subject to such challenge, but the accuracy of recording the grade is found to be inaccurate, may be amended.

3. The school will decide whether to amend the records in accordance with the request and will notify, within a reasonable period of time, the parent of the student or the eligible student in writing of the decisions.

4. If the decision is that the records are not inaccurate, misleading, or in violation of any rights, the parent of the student or the eligible student will be notified in writing and advised of the right to have a hearing.

5. Upon request, the school will arrange for a hearing to be conducted by any employee without direct interest in the outcome of the hearing; the parent of the student or the eligible student will be notified of the date, place, and time, of the hearing within a reasonable time of the request and reasonably in advance of the hearing. The decision made during or after the hearing will be made known to the parent of the student or to the eligible student in writing within a reasonable period of time.
B. Records Transfer

When a student transfers to another school division or post-secondary education, a transcript of his/her record—to include academic achievement, standardized test data, cumulative health-physical fitness record, medical records, other pertinent information, etc., where appropriate—shall be sent promptly, upon request, to the appropriate official of the school in which he/she seeks or intends to enroll. The school transferring the data shall make a reasonable effort to notify the parent or eligible student of such transfer and shall provide him/her with a copy of the record, if desired, and an opportunity for a hearing to challenge the content of the record. In the case of a judicial order or subpoena for the records, the parents will be notified in advance of compliance, if possible. Copies of school records will be made available to other public school systems at no cost; a maximum of three transcripts will be sent to colleges of the student’s choice without cost; all other transcripts will be provided to colleges at a specified cost at time of request. Individual copies of school records to a parent of a student or an eligible student will be provided at a cost for copying at the time of request and at a specified rate.

C. Record Maintenance - Disappearance of a Pupil Reported

Upon notification by a local law-enforcement agency of a child’s disappearance, the superintendent shall notify the principal of any school in which the child was enrolled at the time of the disappearance. The principal shall indicate in the child’s cumulative record that the child has been reported as missing.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency which provided the report to the school of the child’s disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child.

D. Additional Information

Copies of the pertinent components of PL 93-380 as amended and as pertain to the maintenance, disclosure, and disposition of students’ scholastic records will be available in the School Board office for any parent of a student, eligible student, and school staff member. Annual notification of the procedures listed under this policy will be published in any reasonable way, in compliance with the law and the regulations of the State Board of Education.

ISSUED: July 10, 1989
REISSUED: December 10, 1990; August 29, 1995; September 27, 2002; June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
SECTION K
PUBLIC INFORMATION PROGRAM ELECTRONIC RESOURCES

The York County School Division utilizes a variety of electronic communication services to support the division’s school-community relations goals. Examples of electronic communication systems include, but are not limited to, websites, telephone, text messaging, email, television and social media.

Websites

Internet
The primary purpose of the York County School Division public website (yorkcountyschools.org) is to provide students, parents, staff and community members with a consistent digital resource for information about the division, division programs, division policies and procedures, and division achievements.

The primary purpose of individual school websites is to provide students, parents, staff and community members with a consistent digital resource for information about the individual school, school programs and activities.

Intranet
The primary purpose of the York County School Division private intranet site (Sid) is to provide a central location for distributing information to school division employees. Sid is the primary reference source for the School Board Policy Manual, Superintendent’s Regulations, Standard Operating Procedures, forms, memorandums, and manuals pertinent to the daily operations of the division. Sid also serves as the primary centralized source for supplemental departmental information and materials.

Rapid Notification Systems

The York County School Division utilizes multiple platforms, such as telephone, email and text messaging, for rapid delivery of school information. The primary purpose of these platforms is to quickly notify parents/guardians of emergency situations such as school closings, lockdowns, utility outages, etc. Rapid notification systems may also be used to send other important announcements and messages from the division and/or individual schools.

YCSD TV-47

The general purpose of the York County School Division local cable channel is to deliver information concerning division and school activities/services. Programming includes School Board meetings, division video productions, contracted video productions, and bulletin announcements.

Social Media

The York County School Division supports the use of social media to achieve communication and educational goals. The purpose of the division’s overall social media presence is intended to provide a venue to share information, promote professional development and collaboration, and support student
learning in a digital environment. Examples of social media include, but are not limited to, Facebook, Twitter, LinkedIn, YouTube, Blogs and Wikis.

ISSUED: August 14, 2013

Eric Williams, Ed.D.
Division Superintendent
REQUESTS FOR INFORMATION

The York County School Division is committed to full compliance with Virginia’s Freedom of Information Act (FOIA), and shall process all requests for information in accordance with the following procedures:

1. Requests must be in writing and should be made with reasonable specificity.

2. FOIA requests should be forwarded to the Superintendent or appropriate Chief Officer. The Coordinator of Community and Public Relations will coordinate responses to FOIA requests.

3. Promptly, but in all cases within five (5) working days of receiving the request, the school division will provide the requested records to the requestor, or make one of the following responses in writing:

   a. The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and with respect to each category of withheld records, cite the specific Virginia Code section that authorizes the withholding of the records.

   b. The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) which authorize the withholding of the records. When a portion of a requested record is withheld, the school division will delete or excise only that portion of the record to which an exemption applies and will release the remainder of the record.

   c. The requested records could not be found or do not exist. The School Division is not obligated to compile information or reports that are not in existence. If the school division knows that another public body has the requested records, the response will include contact information for the other public body.

   d. It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response will specify the conditions which make a response impossible. If the response is made within five (5) working days, one of the preceding responses shall be provided within an additional seven (7) working day period.
4. Generally, when minimum search time is required, there will be no charge for the viewing of an official document. When extensive search time is required to provide the document(s) for viewing, or when copies of such document(s) are requested, charges are based on reimbursement to the School Division for the cost of searching for and reproducing such document(s).
   a. Copies of documents: Five pages or fewer, no charge; $0.25 per page thereafter.
   b. Search time: If requests are extremely time consuming, actual staff time costs will be charged as calculated by the Division Finance Department.
   c. Requests for data in a computerized format will be reviewed on a case-by-case basis and charges will be calculated based on material and staff time costs.

ISSUED: October 26, 1999
REISSUED: February 26, 2004; August 14, 2013

Eric Williams, Ed.D.
Division Superintendent
MEDIA RELATIONS GUIDELINES

The York County School Division recognizes the important role the media plays in reporting news and information about the division. All media requests for information and interviews must be made to the Coordinator of Community and Public Relations, with the exception of reporting outcomes of athletic events.

Routine Situations

1. The Coordinator of Community and Public Relations will advise the principal, or designee, of media requests to visit individual schools for the purpose of news coverage.
   
a. Representatives of the news media must report to the principal immediately upon arrival unless they are providing coverage for spectator-attended events.
   
b. If the news media representative arrives at the school without the principal having received notification from the Coordinator of Community and Public Relations, the principal or designee should so advise the Coordinator. When practical, this advisory should occur prior to granting media access.

2. The principal reserves the right to limit media access as deemed necessary to minimize disruptions to the educational process.
   
a. A principal or designee will accompany the media representative during the visit on school grounds.
   
b. Parental/guardian permission will be required to interview/photograph/film students under age eighteen (18).

3. Staff members who receive media inquiries concerning their areas of responsibility, without having received notice from Coordinator of Community and Public Relations that a request has been made, should advise their supervisor and the Coordinator of Community and Public Relations of the contact.

4. Any requests for interviews, or questions made during an interview, that fall outside of the purview of the staff member contacted by the news media should be referred to the Coordinator of Community and Public Relations.

Emergency Situations

1. Generally, the Coordinator of Community and Public Relations will work collaboratively with the principal and other school division departments and/or public safety agencies to coordinate the news coverage of emergency situations. However, it is recognized that on occasion, the timing or scope of an emergency situation may result in the need for the principal to handle the initial inquiry.
a. In these cases, while the principal may respond directly to the media representative, the Coordinator of Community and Public Relations and the Director of School Administration shall be advised in a timely manner.

b. Should the principal need clarification regarding release of specific information, the matter will be referred to the Coordinator of Community and Public Relations.

Staff-Initiated News Releases

1. Staff members are encouraged to initiate positive stories about school activities and instructional programs.

2. School or department-generated news releases will be sent to the Coordinator of Community and Public Relations to avoid duplication of information, to assure the appropriateness of the information for the media source, and to coordinate contact with media representatives.

ISSUED: August 14, 2013

Eric Williams, Ed.D.
Division Superintendent
DISTRIBUTION OF NON-INSTRUCTIONAL MATERIAL

The York County School Division recognizes the value of distributing materials that support the educational objectives of the school division. To ensure minimal intrusion on instructional time, this Superintendent’s Regulation identifies the organizations and businesses from which the division will accept requests to distribute non-instructional materials and the available methods for display and/or distribution of non-instructional materials.

I. Organizations Authorized for Display/Distribution of Non-Instructional Materials
   A. York County School Division, YCSD Parent-Teacher Organizations/Booster Clubs, YCSD Student Organizations
   B. Public Agencies: Federal, State or Local Government Entities, Public Colleges & Universities
   C. Non-Profit Organizations (Registered 501C Organizations)
   D. For-Profit Businesses

II. Methods of Distribution or Display
   A. Direct Distribution
      1. Direct Distribution shall be limited to organizations identified in Section I, Subsections A & B.
   B. Electronic Distribution
      1. Electronic Distribution shall be limited to organizations identified in Section I, Subsections A, B & C.
   C. Building Display
      1. Building Display will be allowed for all organizations listed in Section I.
   D. Website Display
      1. Website Display will be allowed for all organizations listed in Section I.

III. Definitions
   A. Non-Instructional Materials
      Non-Instructional Materials include, but are not limited to, non-school sponsored leaflets, brochures, flyers, petitions and posters.
   B. Direct Distribution
      Direct Distribution means circulation or dissemination of material by means of handing out copies on school grounds, placing material in internal staff or student mailboxes, and placing material in student take home folders or backpacks.
   C. Electronic Distribution
      Electronic Distribution refers to circulations or dissemination of material to staff or student through electronic means such as email or other notification systems.
   D. Building Display
      Building Display means posting or placement of material on tables, display racks or areas designated by the school principal on school property.
   E. Website Display
      Website Display means posting or placement of materials on division or school websites.
IV. Submission Process

A. York County School Division, YCSD Parent-Teacher Organizations/Booster Clubs, YCSD Student Organizations
   1. Requests to distribute/display materials shall be submitted to the school principal.
   2. The principal shall review and approve the materials, pursuant to the standards listed within this Regulation, and shall maintain a depository of all materials distributed directly to students.

B. Public Agencies: Federal, State or Local Government Entities, Public Colleges & Universities; Non-Profit Organizations; and For-Profit Businesses
      a) Submissions must be made at least seven (7) days prior to the requested distribution/display date.
      b) All required fields must be completed.
      c) All materials distributed through students or displayed at York County schools must include the following disclaimer:
         "These materials are neither sponsored nor endorsed by the York County School Division or this school."
      d) A finalized, electronic attachment of the material that will be distributed or displayed must be included.
      e) Duplicate submissions will not be accepted within the same calendar year.

V. Approval Process

A. York County School Division, YCSD Parent-Teacher Organizations/Booster Clubs, YCSD Student Organizations
   1. The principal shall review and approve the materials, pursuant to the standards listed within this Regulation, and shall maintain a depository of all materials distributed directly to students.

B. Public Agencies: Federal, State or Local Government Entities, Public Colleges & Universities; Non-Profit Organizations; and For-Profit Businesses
   1. Submissions will be reviewed and processed on a weekly basis, August 1 through May 31.
   2. Incomplete submissions will not be reviewed or processed.
   3. Status of approval will be transmitted electronically to the requesting party.
      Approval lists will be transmitted electronically to schools staff.

C. Standards
   The Coordinator of Community and Public Relations shall apply the following standards to approve the distribution or display of all non-instructional materials on school property. The Coordinator of Community and Public Relations will not discriminate on the basis of viewpoint in granting or denying permission to distribute or display materials.
   1. While materials will not be screened for viewpoint, the Coordinator of Community and Public Relations will not approve the distribution or display of any publication or material that (a) is vulgar, indecent or obscene; (b) contains libelous statements, personal attacks or abusive language such as language
defaming a person’s character, race, religion, ethnic origin, gender, family status, or disability; (c) causes or clearly threatens to cause a material and substantial disruption of a school activity; (d) encourages the commission of unlawful acts or the violation of lawful school regulations; (e) is inappropriate considering the age of the students in the school; (f) contains information that is inaccurate, misleading or false; (g) promotes political activities, candidates, or agendas; (h) activities not consistent with the mission of the school division, or (i) advertises any product or service not permitted to minors by law.

a. Definitions:

i. Obscene

*Obscene* describes any speech or work that the average person, applying contemporary community standards (as opposed to "national standards"), would find, taken as a whole, appeals to prurient interest; or that depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law; and that, taken as a whole, lacks serious literary, artistic, political or scientific value.

ii. Libelous Statement

*Libelous statements* are false and unprivileged statements about a specific person that injure that person’s reputation in the community.

iii. Material and Substantial Disruption

*A material and substantial disruption* is any conduct that for any reason, including inappropriateness of time, place or type of behavior, significantly interferes with school functions, classroom instruction, or the rights of other students or school employees. Examples of material and substantial disruption include, but are not limited to, demonstrations, destruction of property, injury to students or other persons, shouting or boisterous conduct, and anything that significantly distracts students from instruction or prevents school personnel from performing their educational responsibilities.

D. Appeals of distribution approval determinations made by the Coordinator of Community and Public Relations should be made to the Director of School Administration.

VI. Display/Distribution Dates

A. Direct Distribution

1. The principal shall establish the appropriate times for distribution of materials from YCSD Parent-Teacher Organizations/Booster Clubs and YCSD Student Organizations.

2. The Coordinator of Community and Public Relations shall establish and publish monthly direct distribution dates for Public Agencies by August 1 of each calendar year.

   a) Direct distribution of approved materials will be allowed once per submission.

B. Electronic Distribution

1. Electronic notification to parents will take place August through June, during the first week of each month.
a) Electronic distribution of approved materials will be allowed once per submission.

C. Building Display
   1. Materials will be placed in designated display for no more than 30 calendar days.

D. Website Display
   1. Materials will be posted on websites for no more than 60 calendar days.

VII. Distribution of Materials to Schools
   A. School staff will accept material to be left in the school office only if the person delivering the material presents written authorization from the Coordinator of Community and Public Relations. Staff will instruct other persons on the procedure specified in this Superintendent's Regulation.
   B. Material authorized for delivery to schools by the Coordinator of Community and Public Relations will be delivered directly to the school office.
   C. All materials provided to a school must be counted and collated as detailed on the Division's Materials Distribution Web Portal at http://yorkcountyschools.org/materialDistribution.
   D. All materials approved for direct distribution must be delivered at least three (3) school days prior to the designated distribution dates.

ISSUED: August 16, 1995

REISSUED: February 26, 2004; July 27, 2005; August 31, 2010

REVISED: July 30, 2013

Eric Williams, Ed.D.

Division Superintendent
USE OF SCHOOL BUILDINGS FOR NON-SCHOOL PURPOSES

1. Any group or individual, herein after “Users”, desiring to use a school building must submit a Building Use Request form, EXHIBIT A to this regulation to the school’s principal. The User should make every effort to submit the form no less than 10 days prior to the requested use date. Forms submitted less than 10 days prior to the requested use date may not receive approval prior to the requested use date. Excepted from this requirement are Users involved in electioneering on official elections days when the polls are open in school buildings. On election days the activities of such Users will be controlled by the election official in charge of the polling station.

3. The Superintendent designates the Director of Information Technology as the approving authority for any Facility Use Request submitted by other than public interest Users.

4. Requests submitted by other than public interest Users shall be processed by the principal and then forwarded to the Director of Information Technology or his designee for final approval and recordation of fees enumerated on the request form.

5. The following apply to the processing of these requests.

   a. Non-school use of a building is conditioned on the presence of a School Board employee to perform such duties as “open up, light up, heat up, lock up and clean up.” School keys shall be issued only to School Board employees except as expressly authorized by the Chief Operations Officer.

   b. Non-school Users are required to pay labor costs in (5.a) above, and a reasonable fee for energy use, maintenance, equipment, supplies and administration. The fee schedule will be reviewed annually or as needed by the School Board and adjusted accordingly.

6. All fees must be paid within 10 days after use of facilities. Checks should be made payable to the York County School Board and mailed to the York County School Board Office, 302 Dare Road, Yorktown, Virginia 23692.

7. Users will be liable for all damage to school property and for all other claims arising out of the Users’ use of the building. The Users shall pay claims for property damage immediately upon presentation by the School Board of a statement of costs.

8. Gambling, lotteries and raffles on school premises are prohibited. Bingo games can be conducted only with a county permit issued pursuant to statutes and ordinances.

9. When non-public interest Users request to use a building for a specified number of occasions the Director of School Administration will provide a copy of the standard lease agreement to the requesting User. The standard lease form is shown as EXHIBIT B to this regulation.
10. Upon completion of the standard lease form by the requesting party, the Chief Operations Officer will arrange with the Clerk of the School Board to include approval of the lease on the agenda for the School Board’s next regular meeting.

ISSUED: May 18, 1992
REISSUED: November 17, 2000; February 26, 2004
REVISED: June 24, 2014

Approved:

Eric Williams, Ed.D.
Division Superintendent
COUNTY OF YORK
FACILITY REQUEST FORM
for COUNTY PARKS and SCHOOLS

County of York, Division of Parks and Recreation
P. O. Box 532, Yorktown, VA 23690 (757) 890-3500

County of York, School Division
302 Dare Road, Yorktown, VA 23692 (757) 898-0300

Organization Submitting Request: ____________________________

Address: __________________________________________________

(Street) (City) (State) (Zip Code)

Person in Charge: ____________________________________________

Title: ______________________________________________________

Day Phone: (___) _______ Ext. _______ Evening Phone: (___) _______

TYPE OF ORGANIZATION:
☐ COMMUNITY/COMMERCIAL (For school facilities, a certificate of insurance for $500,000 that lists York County and the County School Board as additional insured must be provided prior to approval of this request. For park facilities, a certificate of insurance that lists York County as additional insured must be provided prior to approval of this request. The amount of insurance coverage must be at a minimum $500,000 or higher at the discretion of the County.)

☐ INDIVIDUAL (Additional insurance is not typically required; however, York County and the County School Board reserve the right to require a certificate of insurance.)

Please complete one form for each site

Park/School Requested: ____________________________

Specific Facility Requested (soccer fields, gymnasium, etc.): ____________________________

Planned Activity (please be specific): ________________________________________________________________

Dates: ____________________________ Through ____________________________

Times:

Monday ______ to ________

Tuesday ______ to ________

Wednesday ______ to ________

Thursday ______ to ________

Friday ______ to ________

Saturday ______ to ________

Sunday ______ to ________

Special equipment to be used (canopy, sound systems, port-a-johns, lights on athletic fields, etc.): ____________________________

Estimated Maximum Attendance: ________ By signing below, the applicant agrees to abide by the CONDITIONS OF USE FOR PUBLIC FACILITIES on the reserve side of this form.

(Authorized Signature) ____________________________ (Title) ____________________________ (Date) ____________________________

For Office Use Only:

Key Deposit: ____________________________ Date Received: ____________________________ Date Key Returned: ____________________________

Reservation Deposit: ____________________________ Date Received: ____________________________ Date Refund Processed: ____________________________

Facility Use Fee: ____________________________ Date Received: ____________________________ Additional Fees Due: ____________________________

Custodial Fees: ____________________________ Date Received: ____________________________ Total Fees Due: ____________________________

Special Conditions Imposed by the County: ____________________________

This authorizes the above organization to use the facility as indicated. The applicant should carry this form in person during said event.

(Authorized Signature) ____________________________ (Title) ____________________________ (Date) ____________________________

(Authorized Signature) ____________________________ (Title) ____________________________ (Date) ____________________________

Effective Date: 10/1/97
CONDITIONS OF USE FOR PUBLIC FACILITIES

I, as a duly elected officer or duly appointed committee of the said organization, hereinafter “sponsor”, certify that our organization agrees with the following conditions of use:

1. The sponsor agrees to assume all risks and liabilities in connection with the use of the facilities requested, and hereby releases and absolves, and agrees to guarantee, hold harmless and indemnify the County of York and the York County School Board, its officers, employees, and agents, from and against all liability for claims or judgments arising out of the use of the requested facility by the sponsor, or arising from the actions of the sponsor, or its agents, employees, members, or invitees.

2. The sponsor understands that the County does not provide medical insurance or hospitalization for participants and if such insurance is desired, it is the responsibility of said organization and/or participant.

3. All applicable rules and regulations and County ordinances will be adhered to.

4. The sponsor agrees to pay for all damages to public property and for any other charges that may be incurred as a direct result of this facility use.

5. All litter must be deposited in receptacles at the site. If litter is in excess of the receptacles’ capacity, it shall be placed in the facility’s dumpster or carried off site.

6. Alcoholic beverages and controlled substances are not permitted.

7. All vehicles must be parked in designated parking areas only. No private vehicles are permitted on any other areas of public facilities.

8. No food/drink concessions shall be operated without a proper permit from the Health Department and compliance with Health Department regulations.

9. Admission fees will not be charged for activities without prior approval.

10. In cases where a key is necessary for access, a key deposit is required. This deposit will be refunded approximately 2 weeks after the key is returned. Keys will not be issued for indoor school facilities. All keys issued for facility use must be returned the first working day after the scheduled event. Keys shall not be duplicated under any circumstances. Key deposit payments (cash or check) must accompany this form. Checks should be made payable to: York County Parks and Recreation.

11. In most cases, requests for facility use by non-school or non-county organizations will not be approved until school and county athletic field schedules are set.

12. A school or county event can bump other events if 48 hours notice is given by the group desiring the change. However, if a group has a substantial number of people involved and wishes to appeal the schedule change, an appeal can be made through cognizant staff members at the School Division and County Administration. In addition, a change in schedule can be made less than 48 hours before an event if the change is required by inclement weather, other acts of God, or acts of third parties. These schedule changes can also be appealed.

13. The sponsor is responsible for lining fields and supplying necessary equipment for said event.

FAILURE TO ABIDE BY THE ABOVE CONDITIONS MAY RESULT IN REVOCATION OF THIS PERMIT AND DENIAL OF APPROVAL FOR FUTURE REQUESTS.

Effective Date: 10/1/97
AGREEMENT OF LEASE

THIS AGREEMENT OF LEASE, made this ______ day of ________________20___, between the SCHOOL BOARD OF THE COUNTY OF YORK, Virginia, Lessor, and ,Lessee.

W I T N E S S E T H:

1. That for and in consideration of the terms mentioned herein, Lessor does hereby lease and demise to the Lessee and the Lessee rents from the Lessor the following property and/or facility/ies ("The premises"):

2. The term of this Lease shall be from _______ ___M to _______ ___M, and ______________, 20___.

3. The Lessee shall be allowed to extend the hours of any meeting or activity which is contemplated by this Lease Agreement beyond the hours set out above, without penalty, in order to complete the business or activity being conducted, but not for more than three (3) hours, in which event the Lease shall automatically be deemed extended for the duration of such meeting or other activity, as appropriate. Nonetheless, all warranties and other obligations of Lessee shall continue in effect during the entire time that the Lessee, its members, agents or invitees, shall occupy the premises, without regard to the termination date and time of this Lease Agreement.

4. The rent for the term of this Agreement will be $___________ for each use authorized herein, as per the attached Building Use Fee Schedule. All fees must be paid within ten days after each meeting, activity or other use of the premises permitted by this Agreement. Checks should be made payable to and mailed or hand delivered to the York County School Board, 302 Dare Road, Yorktown, Virginia 23692.

5. The Lessee shall use the premises only for the following purposes, and no other: ________________

Lessee shall be solely responsible for securing any permits and approvals necessary to conduct the activity described in this paragraph, including without limitation, copyright and trademark approvals. Lessee shall hold harmless and guarantee the Lessor from any liability arising out of the failure of Lessee to secure any such permits or approvals.

6. Lessor shall not be responsible for any property of Lessee, or any of Lessee's agents or invitees, which shall be brought upon the premises, or which shall remain on the premises following the term of this Lease Agreement, or following the conclusion of any meeting or other activity as authorized hereby. Lessee shall guarantee and hold harmless the Lessor from any claim or liability arising out of the theft, damage, or loss of any such property.

7. Either party may terminate this Agreement at any time with or without cause by sending notice to the other party.
8. Any notice required to be given by the terms of this Lease shall be given as follows:

Notice to the Lessee will be mailed or hand delivered to the following address:

____________________________________
____________________________________
____________________________________

Notice to the Lessor will be mailed or hand delivered to the following address:

Deputy Superintendent for Operations
York County School Division
302 Dare Road
Yorktown, VA 23692

Any such notice if mailed first class mail, registered or certified, return receipt requested, will be deemed to have been given at the time of the U. S. mail postmark. Otherwise, notice shall be deemed given when actually received.

9. The Lessee certifies that he/she is familiar with the rules and regulations of the York County School Board for community and local use of school facilities, a copy of which is attached hereto and made a part hereof; and with statutory requirements with respect to public assembly and use of public buildings, and that such rules and regulations and statutes will be enforced by said Lessee. The Lessee assumes full responsibility for any and all damage to school property or the property of any employee or agent of Lessor, or of any student, caused by its use by Lessee, or Lessee's agents, members, or invitees. All costs for damages shall be paid immediately upon receipt of a request therefore from the Lessor. The Lessee does further hereby covenant and agree to indemnify and to save the Lessor, Lessor's agents and employees harmless from any and all claims by third parties for damage to property and injury or death to person or persons which will in any way be caused by, or connected in any way with, such use of school property by the Lessee. The Lessee, and the undersigned on behalf of Lessee, further covenants that Lessee has in force the general liability insurance coverage describe below and during the terms of the lease and any renewal thereof will maintain such coverage in full force and effect in at least the amount designated below.

Amount: $ ______________
Insurance Carrier Representative: ________________________________
Company: ______________________________________________________
Address: _______________________________________________________
Telephone: ________________________________
Date: ______________________20__

10. This agreement of Lease constitutes the entire agreement between the parties, and no modification or extensions shall be effective unless set forth in a writing signed by Lessor and Lessee.

11. This space rental Agreement and all of its terms, covenants and conditions will be construed, interpreted and enforced under the laws of the Commonwealth of Virginia.

12. This Lease Agreement shall be binding on Lessee, and Lessee's heirs and personal representatives, or successors in interest as the case may be.
LESSEE:

___________________________________
(Name)

___________________________________
(Title)

___________________________________
(Organization)

________________________, 20__

LESSOR:

___________________________________
(Name)

___________________________________
(Title)

___________________________________
(York County School Board)

________________________, 20__

Distribution:

Original - York County School Board
First Copy – Lessee

Attachments:

Building Use Fee Schedule
Rules and Regulations for Community/Local use of School Facilities
SCHOOL VISITORS

A visitor is defined as any person seeking to enter a school division building or school division property that is not an employee of the school division or a student currently enrolled in that building.

During School Hours

1. General Requirements
   a. All visitors must enter through the main entrance of the school or building.
   b. Visitors shall report to the school or building office when arriving or leaving the premises.
   c. Visitors shall be provided with appropriate identification that must be displayed and visible while on school premises.

2. Classroom Visits
   a. The York County School Board encourages all interested citizens to visit Division schools and observe instructional programs and related activities, as long as their presence is not disruptive.
      i. Parents are especially encouraged to visit schools on scheduled days for teacher conferences, special school programs and projects, and parent-teacher meetings.
      ii. Persons who wish to observe classroom activities or instruction while school is in session must notify the principal and obtain approval from the principal prior to the visit so appropriate arrangements can be made.
   b. Principals reserve the right to limit access to particular classrooms or other instructional areas of the school as deemed necessary to minimize disruptions to student instruction.

3. Political Candidates
   a. When a candidate for a particular election category is invited to participate in a classroom discussion or school assembly, then all candidates in a specific race must be extended the same invitation so as to avoid any appearance of endorsement for a candidate or issue.
   b. Political candidates are not allowed to appear at a school unless they are invited to visit or speak to a class or other school-related activity during school hours. The requirements for classroom discussion and school assemblies are applicable and other candidates for the public office should be invited to visit at the same time or be provided an equivalent opportunity.
   c. Nothing in these guidelines shall preclude or prevent incumbent elected public officials from appearances on School Board property upon the invitation of a School Board Member, the Superintendent, the Superintendent’s designee or principal provided that it is within their official capacity and not a campaign activity.
d. Nothing in this regulation should be construed to prohibit a parent from visiting a school when such parent is also a political candidate.

**Outside of School Hours**

1. No one will be in the school building after school hours except on official school business, participating in a supervised school activity, authorized by the administration, or a spectator at an activity open to the public.
   
   a. The school division reserves the right to limit visitors access to school buildings and school property when the visitor’s presence is deemed disruptive or in violation of the School Board Policy Manual.

2. All unauthorized persons will be deemed trespassers and may be punished under the law as such. Unauthorized persons loitering upon school property will be treated as trespassers.

**Trespass on School Property**

Unlawful entry upon School Board property is prohibited. Any person who trespasses upon School Board property will be directed to vacate the school building and school grounds by an authorized school official.

Remaining upon School Board property after having been directed to vacate is unlawful.

Each time the trespasser enters or remains on School Board property after such direction to vacate will constitute a separate violation.

**ISSUED: August 14, 2013**

Eric Williams, Ed.D.
Division Superintendent
SECTION L
HOME SCHOOL INSTRUCTION

This Superintendent’s Regulations applies to appropriate Department of Instruction Staff, Principals, Assistant Principals, Guidance Counselors, and School Attendance Officers who require notification that a parent or guardian has submitted to the Department of Accountability and Instructional Services a Notice of Intent to Provide Home Instruction as required by VA Code § 22.1-254.1.A.

ANNUAL NOTICE OF INTENT TO HOME SCHOOL:

A parent or guardian who elects home instruction must notify the school division Superintendent or designee no later than August 15th of the intent to do so for the coming school year, provide a description of the curriculum limited to a list of the subjects to be studied for the coming year and provide evidence of having met one of the criteria described in § 22.1-254.1.A for providing home instruction.

Parents or guardians who move into the school division or begin home instruction after the school year has begun must notify the Superintendent of their intent to provide home instruction and comply with the provisions of the statute within 30 days of such notice. (§ 22.1-254.1.B).

The notice may be in the form of a letter or the York County School Division Notice of Intent to Provide Home Instruction (Form I-GU-2) and must identify the child or children involved.

The Department of Accountability and Instructional Services will notify the student’s zoned school that the parent or guardian has submitted a Notice of Intent to Provide Home Instruction within 10 days after receipt of form. The parent or guardian has 30 days to submit required documentation as stipulated by the Virginia Department of Education guidance document, Guidelines for Home Instruction in Virginia-Information for Parents Revised July 2012. Once the Notice of Intent to Provide Home Instruction has been received by the Department of Accountability and Instructional Services, the parent or guardian may initiate home instruction.

Within 30 days after the receipt of intent form, the zoned school will be notified by the Department of Accountability and Instructional Services whether the parent or guardian has complied with mandates outlined by the VDOE guidance document.

If parent or guardian has not complied with mandated documentation within the 30 day timeline, both parent or guardian, and zoned school will be notified that the student is considered truant as of the documented date. The zoned school will notify the YCSD Truant Officer of student’s absence.

EVIDENCE OF ACHIEVEMENT:

To comply with § 22.1-254.1 of the Code of Virginia, the parent is required to submit, by the following August 1, evidence of the child’s academic achievement in one of the following ways:

- Evidence that the child has attained a composite score at or above the fourth stanine on any nationally normed standardized achievement test; or
• An evaluation or assessment which the school division Superintendent or designee determines to indicate that the child is achieving an adequate level of educational growth and progress, including, but not limited to:

  o 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 education growth and progress; or
  
  o A report card or transcript from a community college or college, college distance learning program, or home-education correspondence school.

If the parent does not provide the required evidence of progress, the Superintendent or designee may place the home instruction program on probation for one year. (For the purpose of this provision, "not provided" means either that no information is submitted or the child is not making satisfactory academic progress as determined by the results of testing or the results of an evaluation or assessment.) If this happens, the parent will be required to file a remediation plan and evidence of the ability to provide an adequate education for the child. The Superintendent or designee may determine whether these submissions are adequate.

If the plan and evidence are not accepted or the required evidence is not provided by August 1 following the probationary year, home instruction shall cease and the parent must make other arrangements that comply with the compulsory attendance law; § 22.1-254. (§ 22.1-254.1.C)

The evaluation requirement does not apply to children under the age of six as of September 30 of the school year.

PART-TIME ADMISSION TO YORK COUNTY SCHOOLS:
The York County School Division does not participate in part-time admissions.

USE OF YORK COUNTY SCHOOLS FACILITIES:
The York County School Division does not permit home schooled students to use school facilities (i.e. library, gym.)

PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES/SPORTS:
Home schooled students may not participate in interscholastic extracurricular activities or sports governed by the Virginia High School League (VHSL).

Revised: August 30, 2012
Reissued: September 6, 2013

Approved:

Eric Williams, Ed.D.
Division Superintendent