

# School Board Meeting

## December 14, 2015

### **Items Requiring Action (2 Readings)**

*(1<sup>st</sup> Reading 11/9; 2<sup>nd</sup> Reading 12/14)*

DI	Financial Accounting and Reporting (VSBA Update)
GCG	Professional Staff Probationary Term and Continuing Contract
GC R3	Professional Staff – Licenses
JFCF-BR1	Drug Testing of Student Athletes (New)
JFCF-SR2	Student Athlete Substance Abuse Policy (New)
Form 360	Culpeper County Public Schools Pledge Program/Parent Agreement (New)

### **Items Requiring No Action (1 Reading)**

*Legal References/Code Updates/Verbiage changes/Regulations and Exhibits*

JFCI-E1	Student Assistance Program Contract
JGD/JGE R1	Student Suspension/Expulsion

## FINANCIAL ACCOUNTING AND REPORTING

The superintendent or superintendent's designee is responsible for implementing a modern system of accounting for all school funds as established by the Board of Education and the Auditor of Public Accounts.

The Culpeper County School Board receives monthly statements of the funds available for school purposes.

At least once each year the School Board submits a report of all its expenditures to the appropriating body. Such report is also 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.

Adopted: August 12, 1996  
 Amended: June 22, 2009  
 December 14, 2015

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-90, 22.1-115.

Cross Refs.:	CBA	Qualifications and Duties of the Superintendent
	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
	EF	Food Service Program

PROFESSIONAL STAFF PROBATIONARY TERM  
AND CONTINUING CONTRACT

Teachers

Probationary Term

A probationary term of service of three years in Culpeper County School Board School Division is required before a teacher is issued a continuing contract. Service under a local teacher license does not count towards satisfying this probationary requirement. 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 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. Culpeper County School Board 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 two years, is made a part of the contract of employment. 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 non-continuation 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

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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 9, 1995  
Amended: December 9, 2002  
June 26, 2003  
June 23, 2008  
October 10, 2011  
November 12, 2012  
August 12, 2013  
December 14, 2015 (VSBA option)

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304.

Cross Refs.:	GBM	Professional Staff Grievances
	GCA	Local Licenses for Teachers
	GCB	Professional Staff Contracts
	GCE	Part-Time and Substitute Professional Staff Employment
	GCN	Evaluation of Professional Staff
	GCPA	Reduction in Professional Staff Work Force
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

## PROFESSIONAL STAFF - LICENSES

It is the responsibility of every professional employee to maintain proper licensure credentials as outlined by the Department of Education, Code of VA Section §22.1-298 and 22.1-299.

At such time any certified employee allows their license to expire if their employment continues with CCPS, they will immediately, upon date of expiration, be placed at the rate of pay of substitute teacher. Continued provision of benefits received as a certified employee, such as VRS, group life insurance and health insurance, if applicable, will be suspended until such time as they complete requirements and license is renewed by the Department of Education unless otherwise determined by the superintendent.

For new employees, eligible to obtain a license the length of time provided in the contract to obtain initial licensure is 90 days from the first day of school. If, after 90 days of employment, the employee has not provided an appropriate license, they will be placed at the rate of pay of long term substitute and lose benefits allowed to licensed employees, unless otherwise determined by the superintendent.

For new employees that are not immediately eligible for a license, the pay rate will be that of a long term substitute until license eligibility is obtained. If after 90 days of employment the employee is not eligible for a license, they will remain at the rate of pay of long term substitute and lose benefits allowed to licensed employees, unless otherwise determined by the superintendent.

Approved: April 10, 2006  
Amended: December 14, 2015

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## Drug Testing of Student Athletes

### Purpose and Intent

In keeping with the mission of Culpeper County Public Schools, the role of the student-athlete drug testing policy and substance abuse programs is to protect student health, safety and welfare, and to strengthen partnerships among faculty, administrators, coaches, parents, and students in order to reduce alcohol and other drug related barriers and hazards to academic, athletic and personal development success.

### Guidelines

A student-athlete becomes eligible for drug testing upon being listed on the Middle School Team Roster List for middle school students and the Virginia High School League (VHSL) Master Eligibility List for high school students. Student-athletes will remain eligible for testing through the end of the sport season. In the event a student ceases to participate or withdraws from an athletic team, he or she will no longer be subject to random drug tests during that sport season.

### Non-Compliance

If the student-athlete refuses to be tested or attempts to tamper with or assist others in tampering with the sample, the athlete will be dropped from the team, absent extenuating circumstances.

### Drug Testing Procedures

This policy is not designed to be academically punitive, but to ensure the student's health while participating in athletics.

- A. Sample random selection with replacement will be used for the drug testing process.
- B. A Third Party Administrator (TPA) will be contracted to conduct all testing and will be responsible for the random selection with replacement and testing process.
- C. Testing will be performed on a sample population equating to 10% of the total population of student athletes, per school, per sports season (Fall, Winter, Spring). The number of testing sessions may vary.
- D. A copy of the Middle School Team Roster List and the Virginia High School League (VHSL) Master Eligibility List, identifying athletes for every sport, per sports season, will be used to determine who will be eligible for testing. For the purpose of confidentiality, athletes will be identified by a unique number as designated by the school.
- E. Drug testing will be performed by collecting a urine sample.
- F. Testing will take place at each school by the TPA.
- G. Students will remain under school supervision until an adequate sample can be provided. If a student has not provided a reliable sample by the end of the school day, then the student will be ineligible to participate in the remaining portion of that sports season absent extenuating circumstances.
- H. The TPA will provide testing materials, testers and a Medical Review Officer (MRO).
- I. In the event of a positive test result, the MRO will make direct contact with the parent/guardian to resolve any extenuating circumstances, medical or other, that may have contributed to an inability to provide a sample, or a positive test result. Culpeper County Schools will not be involved in resolving positive testing results.
- J. After all testing and test results have been verified, the final report will be provided by the TPA to the Superintendent/Designee.
- K. The Superintendent/Designee will provide the results to each school's principal.

### Positive Test Results

In the event the final report has identified any failures to provide a sample, or verified positive test results, the TPA will contact the Superintendent/Designee and then the Superintendent/Designee will notify the Principal. The Principal will contact the parent/guardian and a conference will be scheduled to present the test results to the parent/guardian.

For positive results, the Culpeper County Schools Pledge Program will be enforced, per School Board Policy JFCF-SR2, Student/Athlete Substance Abuse Policy. For positive results for the use of anabolic steroids, an athlete will also be ineligible to compete in interscholastic athletic completion for two years per School Board Policy JFC-R, Standards of Student Conduct. A failure to provide a sample will be considered a positive test result unless there are extenuating medical circumstances that physically prevent a student from providing a sample.

### Confidentiality

Confidentiality of test results must be maintained at all levels including the TPA, the School Board, the Superintendent, the Principal, the Athletic Director, and the coach. No penalties or restrictions will be placed on a student's participation in any other non-athletic activities. Results will not be placed in the student's cumulative records.

### Drugs Tested

The substances commonly tested for, but not limited to, are: alcohol, tobacco, controlled substances, imitation controlled substances, illegal drugs, athletic performance enhancement and anabolic steroids.

Reference: JRC-R, Standards of Student Conduct  
JFCF, Drugs in School  
JFCF-SR1, Drugs and Drug Abuse  
JFCF-SR2, Student/Athlete Substance Abuse Policy  
Code of Virginia §22.1-276.3, Ineligibility of students to compete in athletic competitions

Adopted: December 14, 2015



## STUDENT/ATHLETE SUBSTANCE ABUSE POLICY

Student athletes are athletes all year and are responsible for their actions 365 days a year.

### Definitions:

**Student/Athlete** – Any 6<sup>th</sup>-12<sup>th</sup> grader established as an athlete at the middle school, junior varsity or varsity level. An established athlete is one who is on a middle school roster or high school Master Eligibility List (MEL) until the next roster or MEL for that sport.

**Off School Premises** – Applies to non-school hours and non-school events.

**Regular Season** – The scheduled number of contests for a sport season exclusive of scrimmages and post-season play.

### Consequences for Violation of the Student/Athlete Substance Abuse Policy:

- I. In the event that a substance use violation occurs on school property, in a school vehicle, at any school-sponsored event, going to or from school, or while participating in school-sanctioned activities, then the Substance Use Policy JFCF, JFCI-R1 shall be followed. In addition, the Culpeper County Schools Pledge Program shall be enforced.
- II. If a substance use violation occurs other than as provided in I. above, then the Culpeper County Schools Pledge Program shall be enforced.

### Culpeper County Schools Pledge Program

Refusal by the student/athlete or the parent/guardian (s) to participate in the Culpeper County Schools Pledge Program will preclude the student/athlete's further participation in athletics at the school.

**First Violation:** When the principal or his/her designee confirms, following an opportunity for the student to be heard, that a violation occurred, the following will take place.

1. The student/athlete shall be suspended from play for a period equivalent to that number of contests representing 20 percent of the total number of VHSL contest limitations for each sport to be played during the regular season. (Any fraction of the calculation will be dropped.) The penalty will be applied to the immediate next contest(s) including playoffs, and/or to the next sport season in which the student athlete normally participates within 365 calendar days. During the suspension period, the student will be able to attend practices and contests; however, the student will not be permitted to dress in team uniform for contests. This does not apply to out of school suspension days as a result of School Board Policy JFCI-R1.
2. The parent/guardian(s) will contact the SAP coordinator within 5 school days of the suspension start date.
3. The student/athlete must agree to have a 5 panel drug screening within 2 business days of the suspension start date and a follow-up drug screening within 30 calendar days, if necessary, both at the parent/guardian(s) expense.

4. The student/athlete must also agree to have a Substance Abuse Assessment completed by an outside agency within 15 calendar days of the suspension at the parent/guardian(s) expense. Follow through with the Substance Abuse Assessment is the responsibility of the student/athlete and parent/guardian (s). The SAP Coordinator can provide referrals to agencies that provide Substance Abuse Assessments.
5. The student/athlete will also be required to participate in the Student Assistance Program.

**Second Violation:** When the principal or his/her designee confirms, following an opportunity for the student to be heard, that a violation occurred, the following will take place.

1. A second violation occurring within the same school year, even if in another sport or activity, will permanently exclude the student from all athletic activities for the remainder of the school year. (If less than 20 percent of the total number of VHSL contest limitations scheduled to be played during the regular season remains, the suspension will carry over to the next sport season in which the student normally participates.)
2. A second violation occurring in a separate school year from the first violation will require the student/athlete to be suspended from play for a period equivalent to 20 percent of the total number of VHSL contest limitations for each sport to be played during the regular season. (Any fraction of the calculation will be dropped.) The penalty will be applied to the immediate next contest(s) including playoffs, and/or to the next sport season in which the student athlete normally participates within the current school year. During the suspension period, the student will be able to attend practices and contests; however, the student will not be permitted to dress in team uniform for contests or competitive events. This does not apply to out of school suspension days as a result of school board policy JFCI-R1.
3. The parent/guardian(s) will attend a conference with the SAP coordinator within 5 school days of the suspension start date.
4. The student/athlete must agree to have a drug screening within 2 business days of the suspension start date and a follow-up drug screening within 30 calendar days at the parent/guardian (s) expense.
5. The student/athlete must also agree to have a Substance Abuse Assessment completed by an outside agency within 15 calendar days of the suspension start date at the parent/guardian(s) expense. Follow through with the Substance Abuse Assessment is the responsibility of the student/athlete and parent/guardian (s). The SAP Coordinator can provide referrals to agencies that provide Substance Abuse Assessments.
6. The student/athlete will also be required to participate in the Student Assistance Program.

**Third Violation:** When the principal or his/her designee confirms, following an opportunity for the student to be heard, that a violation occurred, the following will take place.

1. A student/athlete who is found responsible for third violation during their VHSL eligibility is ineligible to participate in all athletic activities for 12 consecutive months from the date of suspension.

**Culpeper County Schools Pledge Program/Parent Agreement (Form 360)**

Adopted: December 14, 2015

**Culpeper County Public Schools Pledge Program/Parent Agreement**

I, \_\_\_\_\_, have received a copy of the Student/Athlete Substance Abuse Policy (JFCF-SR2) and pledge to abstain from any drug or alcohol substance that would be in conflict with this policy. I understand that if I break this pledge, I am responsible for the consequences of my actions as outlined in the Student/Athlete Substance Abuse Policy.

I agree to participate in random drug pursuant to School Board Policy JFCF-BR, Drug Testing of Student Athletes, and understand the consequences of any violation. I have been advised that a positive outcome of steroid use will result in me being ineligible for two school years to compete in interscholastic competition.

Additionally, I have received a copy of the Student-Athlete Concussions during Extracurricular Activities Policy (JJAC) and have reviewed the concussion training materials developed by the Concussion Management Team.

\_\_\_\_\_  
Student/Athlete Signature

\_\_\_\_\_  
Date

I have read, understand, and support School Board Policy JFCF-SR2, Student/Athlete Substance Abuse Policy as being necessary for the physical and mental well-being of my son/daughter as he/she pursues his/her career as a student/athlete in Culpeper County Public Schools (CCPS).

I understand that my child will be participating in random drug testing pursuant to School Board Policy, JFCF-BR, Drug Testing of Student Athletes, and the consequences of any violation. If a positive test is initially suspected by the testing agency, then I agree to have the testing agency contact me at the following number. I have also been advised that a positive test outcome of steroid use will result in my child being ineligible for two school years to compete in interscholastic athletic competition per the *Code of Virginia* §22.1-276.3.

Additionally, I have received a copy of the Student-Athlete Concussions during Extracurricular Activities Policy (JJAC) and have reviewed the concussion training materials developed by the Concussion Management Team.

Lastly, I understand that my child will be participating in activities governed by the Virginia High School League (VHSL) and/or CCPS. This form serves as permission for my child to participate in all VHSL activities or activities related to middle school athletics including all associated travel.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Parent/Guardian Name

\_\_\_\_\_  
Date

**STUDENT ASSISTANCE PROGRAM CONTRACT**

**JFCI-E1**

Student Name: \_\_\_\_\_

Parent(s) Name: \_\_\_\_\_

Students who commit multiple violations or a serious violation of the Student Code of Conduct may be subject to either long term suspension or expulsion. Additionally, such students may (i) have reasonable conditions and restrictions imposed on them as a condition of continued enrollment in their current school; (ii) be placed in an alternative education program; or (iii) have conditions and restrictions imposed as a condition for reinstatement to regular school attendance following a suspension or expulsion. Such conditions and restrictions shall be identified in this Student Assistance Contract (SAP). Participation in specific education programs, behavior evaluations, counseling, treatment programs, and/or community service may be required by Culpeper County Public Schools at no cost to the school division. However, Culpeper County Public Schools, in partnership with other county agencies and private service providers, will attempt to identify and offer these programs and services to students at no or minimal cost. Alternatively, parents may choose to provide to the student programs and services of their choosing and at their own expense in order to satisfy the conditions of the SAP; however, these programs and services must in all cases be pre-approved by the Superintendent or designee. .

Restrictions and Conditions for the Student	Applicable	Comment
The student will return to his previous educational placement after serving an additional term of suspension through an order of the Discipline Hearing Officer.		Length of the suspension:
The student is placed on strict probation for future serious violations of the Student Code of Conduct for the duration of their enrollment. Serious violations are acts that would ordinarily result in an out-of school suspension of 3 days or longer. In these cases a Discipline Hearing will be required.		
The student is suspended from riding any Culpeper County Public School bus.		Length of the suspension:
The student is prohibited from attending school dances, sports competitions, and musical or theatrical performances as a spectator.		Length of prohibition:
The student is prohibited from driving or riding with other student- drivers to or from school.		Length of prohibition:
The student is prohibited from possessing a cell phone during the school day.		Length of prohibition:
The student is prohibited from contact or communication with another specific person(s) while on school property or at-school related events.		Name(s)
The student will not engage in any off-campus conduct that presents a threat to the safety of students or staff or that presents a substantial disruption to the school's operations or learning environments.		
Other reasonable restrictions and conditions as deemed necessary by the Superintendent or designee to promote safety and to prevent disruptions of learning environments.		
The student will maintain proper school and program attendance - no excessive unexcused absences, early dismissals, or tardies resulting in an adverse impact on mandated provisions of the Student Assistance Program.		
The student will attend any available opportunities to complete work or receive additional instructional assistance from staff as requested (before, during, or after school).		
<b>Assessments and Interventions</b>		
The student will return to his previous educational placement and undergo a Functional Behavior Assessment and implementation of a Behavior Intervention Plan, if appropriate.		
The student was referred to law enforcement and is awaiting or has had an Intake Hearing or judicial proceeding. Any judicial orders for services or restrictions upon the student will be part of the S.A.P. program.		
The student will complete an education course related to his Code of Conduct violation. (ex: internet use, gun safety, diversity tolerance and sensitivity)		Type of course:
The student will undergo a substance abuse evaluation by a certified substance abuse counselor and participate in a substance abuse education program or treatment if determined to be appropriate by the evaluation. A copy of the evaluation results and reports from the counselor will be provided to school administrators.		
The student must submit to random alcohol/drug testing at the request of the school division for the duration of his Culpeper County Public Schools enrollment.		
The student will undergo a behavior evaluation by a properly certified or licensed counselor to determine the student's needs and participate in an education program and/or counseling (individual, group, or family) as determined by the evaluation. A copy of the evaluation results and a report from the counselor regarding the student's progress will be provided to school administrators upon request.		
Community service will be required. Service must be completed in compliance with school division regulations.		The number of service hours to be completed:
<b>Parent Responsibilities</b>		
The parent agrees to communicate and meet with school division staff as requested to satisfy the provisions of the Student Assistance Program Contract.		
The parent agrees to provide the required documentation to Culpeper County Public Schools to satisfy the provisions of the Student Assistance Program Contract.		
The parent agrees to provide transportation for the student as needed to satisfy the provisions of the Student Assistance Program Contract.		
The parent agrees to obtain a computer and internet access for the student to enroll in the on-line alternative education program.		

Alternative Education Placement Options (check only one below, if applicable)		
The student will be enrolled in Alternative Special Education Home Based Services pending an IEP meeting and will adhere to the program's rules, conditions, and restrictions.		
<p>Program Rules, Conditions, and Restrictions for Students Enrolled in the On-Campus Alternative Education Program:</p> <ul style="list-style-type: none"> <li>• Mandatory parent /student orientation meeting with program coordinator for setting of individualized behavior and academic goals and implementation of individualized behavior and academic supports.</li> <li>• Strict limits on the time, manner, and place that a student may be present on any CCPS property or attendance at school-sponsored events to include only those granted by the program coordinator and school principal.</li> <li>• Limits on transportation may include suspension from riding school buses, revocation of driving privileges, or prohibiting riding with other students.</li> <li>• No back-packs, book bags, or large purses are allowed in the building.</li> <li>• Cell phones are turned in upon arrival at the building and secured in the office until departure.</li> <li>• Dress code is strictly enforced.</li> <li>• Submit to searches of possessions and clothing upon request.</li> </ul> <p>Other reasonable restrictions and conditions as deemed necessary by the Superintendent or designee to promote safety and to prevent disruptions of learning environments.</p>		Enrollment to begin:
<p>Program Rules, Conditions, and Restrictions for Students Enrolled in the CCPS On-Line &amp; Part-time On-Campus Alternative Education Program:</p> <ul style="list-style-type: none"> <li>• Mandatory parent /student orientation meeting with program coordinator for setting of individualized behavior and academic goals and implementation of individualized behavior and academic supports.</li> <li>• Stricter limits on the time, manner, and place that a student may be present on any CCPS property to include only exams, ; counseling or tutoring by staff as available;, and called meetings of the student, parent, and school staff. Presence of the student at any other school or school-related event is prohibited.</li> <li>• Limits on transportation will include suspension from riding school buses, revocation of driving privileges, and prohibiting riding with other students. Transportation will be provided by parent or other responsible adult.</li> <li>• No back-packs, book bags, or large purses are allowed in the building.</li> <li>• Cell phones are turned in upon arrival at the building and secured in the office until departure.</li> <li>• Dress code is strictly enforced.</li> <li>• Submit to searches of possessions and clothing upon request.</li> <li>• Other reasonable restrictions and conditions as deemed necessary by the Superintendent or designee to promote safety and to prevent disruptions of learning environments.</li> </ul>		Enrollment to begin:
<p>Program Rules, Conditions, and Restrictions for Students Enrolled in the CCPS On-line Alternative Education Program ONLY:</p> <ul style="list-style-type: none"> <li>• Mandatory parent /student orientation meeting with program coordinator for setting of individualized behavior and academic goals and implementation of individualized behavior and academic supports.</li> <li>• Strictest of limits on the time, manner, and place that a student may be on any CCPS property to include only exams or called meetings of student, parents and school staff. Presence of the student at any other school or school-related event is prohibited.</li> <li>• Limits on transportation will include suspension from riding school buses, revocation of driving privileges, and prohibiting riding with other students. Transportation will be provided by parent or other responsible adult.</li> <li>• No back-packs, book bags, or large purses are allowed in the building.</li> <li>• Cell phones are turned in upon arrival and secured in the office until departure.</li> <li>• Dress code is strictly enforced.</li> <li>• Submit to searches of possessions and clothing upon request.</li> <li>• Other reasonable restrictions and conditions as deemed necessary by the Superintendent or designee to promote safety and to prevent disruptions of learning environments.</li> </ul>		Enrollment to begin:

The student and parent understand that a violation by the student of the Student Assistance Program Contract will result in a suspension until a hearing with the Culpeper County Discipline Hearing Officer. The parent also understands that a violation by the parent of the provisions included in the Student Assistance Program Contract may result in a suspension of their child pending a meeting with the Superintendent or designee. The student is eligible for a review of their progress for possible adjustments to the Student Assistance Program Contract after at least 60 student school days of SAP contract implementation or two weeks prior to the start of the next academic semester whichever is longer.

Student's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

School Administrator Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Discipline Hearing Officer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Alternative Education Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

Superintendent or Designee's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## STUDENT SUSPENSION/EXPULSION (Draft 11 4 14) File: JGD/JGE-R1

The Culpeper County School Board is responsible for promulgating policies and regulations necessary for creating an environment conducive to teaching and learning, and promoting safety and security for students, staff, and visitors. The code of conduct details prohibited behaviors by students and possible disciplinary actions for students for violations of the code of conduct. These disciplinary actions and the process of adjudicating violations of the code of conduct are detailed below. This Regulation is intended to explain and expand upon Policy JGD/JGE.

### I. DEFINITIONS

**Alternative Education Program** includes night school, adult education, or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

**Bus Suspension** is a disciplinary action imposed by a school administrator for violations of the code of conduct by a student when on a school bus or at a bus stop resulting in the student's removal from any school bus and/or bus stop for a period of time. A student's absence from school due to a bus suspension is unexcused.

**Detention** is a disciplinary action imposed by school personnel which results in a student's placement in a restrictive setting supervised by school personnel and the exclusion of the student from non-instructional activities to include time before or after school, lunch periods, recess, or breaks.

**Discipline Hearing** is a hearing where a school administrator presents the evidence of a student's alleged violation(s) of the code of conduct to an impartial hearing officer who is an employee of the School Board. The student and parent may present testimony or evidence at the hearing in the student's defense. The hearing officer may impose long-term suspensions; placement in an alternative education program, as provided for in Virginia Code section 22.1-277.2:1, Policy JGD/JGE, and this regulation; recommend expulsion by the School Board; and/or require interventions and restrictions necessary to promote the student's learning and/or a safe and orderly school environment.

**Expulsion** is the disciplinary action imposed by the School Board whereby a student is not permitted to be on any school property, attend any school-related event, or participate in an on-line educational program within the school division and is ineligible for readmission to a school program for a minimum of 365 calendar days from the date of the expulsion. The School Board may determine that special circumstances exist and that a shorter term of expulsion is appropriate. Although not required to do so, the School Board may assign an expelled student to an alternative education setting during or at the conclusion of the expulsion. Expulsion may only be imposed by the School Board. The School Board may require certain conditions be met by the student or parent for readmission. A student who has been expelled must petition the School Board to be re-admitted to any school in the division. If requested by the student or parent, the School Board will rule on the petition for readmission prior to the initial date of eligibility for readmission

**Informal Disciplinary Actions**- These disciplinary actions include, but not limited to: assigned seating; restriction to a specific location; student conferencing; time-out; short-term loss of social rights such as

the denial of recess, free time, or lunch with peers; short-term loss of attendance or participation in an assembly, athletic competition, or extra-curricular activity; the forfeiture of a reward or positive recognition. These violations are not recorded in a student's cumulative education records.

**In-School Suspension (I.S.S.)** is a disciplinary action imposed by a school administrator by which a student is restricted to a location within the school and is not permitted to attend either instructional activities in the regular educational setting or non-instructional activities for a designated period of time.

**Long-Term Out of School Suspension** is a suspension from regular school attendance for eleven (11) school days or more, but less than 365 calendar days, as imposed by the Discipline Hearing Officer, Superintendent or designee, or by the School Board.

**Out of School Suspension (O.S.S.)** is a disciplinary action imposed by a school administrator by which a student is not permitted to attend regular school, be on any school property, or participate in or attend school-related events off campus for a designated period of time.

**Parent-** the natural father or mother of a child; parent by legal adoption; legal guardian of the child; or person having control of the child in absence of the parents.

**Review** is an informal process by which a school administrator examines the alleged violation of the student code of conduct or other rules and the informal disciplinary action taken by a school division employee to ensure the disciplinary action taken was justified. Verbal notification by the parent or student is sufficient to initiate a review and such notice must be received by the school administrator within two (2) school days of the decision to impose the disciplinary action.

**Short-Term Out of School Suspension** is a suspension from school attendance for 10 school days or less imposed by a school administrator. When the term of the suspension expires the student returns to his regular school placement.

**Social Suspension** is a disciplinary action that prohibits a student from attending or participating in school-related extracurricular, athletic, or social events for a designated period of time.

**Student Assistance Program** allows a student who has committed a serious violation of the code of conduct, or multiple less serious violations over time, and who is subject to a long-term suspension to continue to receive educational services subject to certain terms and conditions agreed to by the student and his parent(s). The student and the parent(s) sign a contract by which they agree to participate in the program which may include behavior or psychological assessments, alternative education placements, behavior improvement plans, or any restrictions, conditions, and interventions deemed necessary to improve the student's conduct and to promote safety and order in the schools.

## **II. Code of Conduct and the Imposition of Disciplinary Actions**

The School Board shall adopt a student code of conduct detailing prohibited student behaviors and actions. The code of conduct shall prohibit behaviors and actions that interfere with student learning or a safe and orderly environment for students, staff, and visitors. The School Board shall authorize the Superintendent or designee to establish guidelines or regulations for disciplinary actions to enforce the code of conduct and to promote its goals.



Disciplinary actions may be initiated when school authorities determine the imposition of such measures are appropriate because a student's conduct violates the code of conduct and/or constitutes a crime.

Suspended or expelled students who violate the prohibition from being present on school property, or attending school-related activities off campus may be referred to law enforcement authorities under applicable state laws.

### **III. Disciplinary Due Process**

Students shall be afforded due process in connection with any disciplinary action taken as a result of a student's violation of the code of conduct.

### **IV. Notice to Parents and Student of the Code of Conduct and Notice of Violations**

Principals shall make reasonable efforts to provide a copy of the code of conduct to all students and parents and obtain an acknowledgement of receipt of the code.

Teachers, principals, or other school employees shall make reasonable efforts to communicate with parents of students committing violations of the code of conduct and provide information on the student's behavior and infraction, and any disciplinary action taken when the violation(s) will or have resulted in: temporary removal from class; temporary removal from a team, club, or school organization; temporary loss of participation in or removal from an assembly, social event, or extra-curricular activity; or temporary loss of participation in normal school activities such as lunch with peers, free time, or recess.

Written notice shall be provided to students and parents when a student is removed from a class permanently; placed under in-school suspension of one quarter of the school day or longer; given an out of school suspension; given a suspension from riding a school bus; long-term removed from a team, club, or school organization; long-term removed from participation in an assembly, social event, or extra-curricular activity; and/or long-term removed from participation in normal school activities such as lunch with peers, free time, or recess. If the disciplinary action is an out of school suspension, written notice shall be given to the student and a copy mailed or hand-delivered to the student's parent.

The written notice shall include the following:

- the specific section(s) of the code of conduct that were violated;
- the period of time of the disciplinary action(s);
- if a permanent removal from a teacher's class is imposed, the replacement class or alternative activity;
- if an in-school suspension or loss of participation in school activities is imposed, a date of return to regular class attendance or participation in school activities;
- if an out of school suspension is imposed, notice that the student shall be prohibited from being present on any public school property or attending a school-related event off campus, the date of return to school attendance upon expiration of the suspension, and any restrictions on participation in school activities after the student's return;
- if a bus suspension is imposed, the requirement to attend school during the bus suspension, the date of reinstatement of bus riding privileges, and if a parent conference is required;

- whether a parent conference to discuss the student's behavior will be required;
- the manner to obtain missed academic assignments and/or the availability of community-based educational services; and
- the right to an appeal to include the person to whom an appeal is made and the time frame for initiation of the appeal.

#### V. **Emergency Suspension Notification**

Any student whose presence poses a danger to persons or property or an ongoing threat of disruption may be removed from school immediately and the notice, explanation of facts, and opportunity to present his or her version shall be given as soon as practicable thereafter.

#### VI. **Process for Short-Term Suspensions**

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

Upon suspension of any student, the principal, assistant principal, or teacher responsible for such suspension shall report the facts of the case in writing to the division superintendent or his designee and the parent of the pupil suspended. The division superintendent or his designee shall review forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any parent or student and confirm or disapprove such action based on an examination of the record of the student's behavior. Short-term suspensions are not subject to a hearing with a Discipline Hearing Officer and the decision of the division superintendent or his designee shall be final.

Written notice shall be provided to the parent of a student who is suspended from school attendance for not more than ten days and such notice shall include 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.

#### VII. **Process for Initiating a Discipline Hearing**

Principals or assistant principals must schedule a hearing for a student with the Discipline Hearing Officer when such building administrators seek to impose either a long-term suspension, placement in an alternative education program, participation in the Student Assistance Program, or recommend to the Superintendent expulsion by the School Board. A Discipline Hearing is not available in cases where

building administrators impose a short-term suspension. The principal or assistant principal shall promptly schedule a hearing at a mutually agreeable time with the parent. If a mutually agreeable date and time cannot be determined, the Superintendent or designee shall select a time and place for the hearing and shall notify the student and parent in writing at least three working days in advance.

### **VIII. Notice of Long-Term Suspensions and a Disciplinary Hearing**

A student who is accused of a serious violation of the code of conduct or who has a record of multiple less serious violations over time may be subject to a long-term suspension of greater than 10 school days. In such cases, the principal or designee shall suspend the student pending a hearing with the Discipline Hearing Officer. The principal or assistant principal shall provide written notice as soon as practicable to the student and parent of the following:

- the specific section(s) of the code of conduct violated;
- the date, time, and location of a discipline hearing
- the authority of the Discipline Hearing Officer to suspend a student for a period not to exceed 364 calendar days, a placement in alternative education program, or imposition of conditions or restrictions on the student through the Student Assistance Program;
- the authority of the Discipline Hearing Officer to recommend to the Superintendent expulsion of the student by the School Board;
- the manner to obtain missed academic assignments and/or the availability of community -based educational services pending the hearing;
- the right of the parent and student to be accompanied by a representative or legal counsel; and
- the inclusion of a copy of the school division's regulations related to Discipline Hearings.

### **IX. Students with a Disability and Manifestation Determination Review**

Before students with disabilities may be subject to a discipline hearing for a possible long-term suspension or a change in educational placement due to a violation(s) of the code of conduct, they shall first have a manifestation determination review in accordance with applicable state and federal laws and regulations to determine if the violation(s) of the code of conduct is a manifestation of the student's disability.

### **X. Discipline Hearing Procedures**

The Discipline Hearing Officer will conduct the hearing in the following manner:

- Introduce and record the names of all persons present to include the student, parent(s), others invited by the parent (noting their relationship to the student), school administrators presenting the case and others invited by the school administration (noting their position within the school division or community).
- A packet of information will be given to the student and/or parent that includes the student's discipline, academic, and school attendance records, written statements of the accused student (if applicable), written statements of witnesses (if applicable and consistent with laws regarding the disclosure of student records), a narrative which describes the incident in question or the history of behaviors that required the hearing.
- Any physical evidence will be available for presentation to the parent to include artifacts, videotape, photographs, electronic messages, etc. (to the extent disclosure is permissible by law)

- The school administration will present its evidence of the violation(s).
- The student, parent, or other person present on behalf of the student may ask questions of the school administrator about the evidence.
- The hearing officer may question the student about the evidence and information presented by the school administrator.
- The student, parent, or other person present on behalf of the student may present evidence that explains the student's version or refutes evidence presented by the school administrator.
- The hearing officer may question the student about the evidence presented on his behalf.
- The school administrator may ask questions to the student about the evidence and rebut the student's presentation.
- After the presentation of evidence, the hearing officer will ask for the school administrator's recommendation for disciplinary action and/or implementation of the Student Assistance Program.
- The hearing officer may suspend the hearing temporarily at any point deemed necessary or remove any participant for improper conduct.
- Students not attending a hearing or who waive their right to attend, may be adjudicated in absentia. A parent not attending a hearing, or who waives his/her right to attend will be notified of the results in writing within five school days.
- The discipline hearing officer may render a decision at the conclusion of the hearing, or render a decision within five school days, as circumstances warrant.
- The hearing officer may offer the implementation of the Student Assistance Program contract at the conclusion of the hearing, if applicable.
- The hearing officer will write a report summarizing the presentation of evidence at the hearing and concluding with the decision rendered. The hearing officer will forward his report promptly to the Superintendent's designee for review as provided for in Section XI.

#### **XI. Review by the Superintendent's Designee of Disciplinary Actions by the Discipline Hearing Officer**

- In any case in which a student has been long-term suspended, placed in an alternative education program, or placed in the Student Assistant Program by the Discipline Hearing Officer, the decision and report of the Hearing Officer shall be reviewed by the Superintendent's designee. The Superintendent's designee will review the report and decision to determine if the Hearing Officer (i) appropriately applied and followed school board policies and/or regulations regarding the hearing process, (ii) had a factual basis for the decision made, and (iii) imposed disciplinary action consistent with school board policy and law. Based on application of these standards, the Superintendent's designee may either affirm or overturn the Hearing Officer's decision. If the decision is overturned, the Superintendent's designee may alter the disciplinary action taken or decide that no disciplinary action is appropriate under the circumstances. The Superintendent's Designee will communicate in writing his decision to the Parent and the Principal within ten (10) school days of the Hearing Officer's decision.

#### **XII. Placement in an Alternative Education Program**

By this regulation, the School Board authorizes the Superintendent or his designee to require students to attend an alternative education program provided the provisions of subsection A of Virginia Code section

22.1-277.2:1 are satisfied and only after (i) written notice to the student and his parent that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student and/or his parent to participate in a hearing to be conducted by the Superintendent or his designee regarding such placement. The decision of the superintendent's designee regarding such alternative education placement shall be final unless altered by the School Board, upon written petition, as established in section XIII of this regulation, by the student or his parent, for a review of the record by the School Board. As provided for in Section XIII of this regulation, the right of appeal to the School Board for review of an alternative education placement shall be limited to a review of the record by the School Board and shall not include a right to a hearing before the School Board.

### **XIII. Appeals of the Decision of the Superintendent's Designee to the School Board**

In any case in which a student has been long-termed suspended, the student and his/her parent(s) may appeal the long-term suspension to the School Board. Such appeal must be in writing and must be filed with the Superintendent's Designee within seven (7) calendar days of the decision of the Superintendent's designee. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal. Such appeals to the School Board will be heard in a closed session.

The School Board will consider and decide the appeal by majority vote of a quorum of the School Board within thirty (30) calendar days of the filing of the appeal. Action of the School Board to sustain or modify the suspension will be taken in public session without the public identification of the student, and will be communicated in writing to the persons initiating the appeal and review and/or their representatives.

The decision of the Superintendent's designee regarding a student's placement in an Alternative Education Placement may be appealed to the School Board for a review of the record in accordance with the provisions of Section XII of this Regulation. Such an appeal must be in writing and must be filed within seven (7) calendar days of the decision of the superintendent or his designee regarding placement in an alternative education program.

### **XIV. Expulsions**

#### **Procedures**

Only the School Board has the authority to expel a student. The Discipline Hearing Officer or the Superintendent's designee may recommend to the Superintendent that a student be expelled.

The Discipline Hearing Officer or the Superintendent's designee shall notify the student and his/her parent(s) in writing of the recommendation.

The Superintendent shall review the recommended expulsion. The Superintendent may impose a lesser sanction. The Superintendent will provide written notice to the student and his/her parent(s) of the decision within seven days of the recommendation.

If the Superintendent recommends expulsion to the School Board, the student and his/her parent(s) will be notified in writing of the following:

- Continued suspension until the matter is decided by the Board;
- The proposed action and the reasons therefore;

- The right of the student and his/her parent(s) to a hearing before the School Board;
- The right to inspect the student's school records;
- The recommended terms or conditions under which re-admission may be granted;
- The recommended length of the expulsion;
- A recommendation whether and at what date the student will be eligible to petition to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after expulsion.
- The availability of community-based educational, training and intervention programs.

The student and his/her parent(s) shall also be provided with a copy of the Culpeper County Public Schools Code of Conduct and relevant policies or regulations.

If the student and his/her parent(s) request a hearing before the School Board, such request must be in writing and must be filed with the Superintendent or designee within seven (7) calendar days of the receipt of the written notification of the recommendation of expulsion. In instances where the parent and/or student do not request a hearing, the School Board shall consider the expulsion recommendation solely on the basis of information provided by the Superintendent or designee at a closed meeting.

The Superintendent or designee shall notify the student and his/her parent(s) the time and place of the School Board hearing.

Nothing in this section shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to these procedures to attend an alternative education program provided by the School Board during the term of such expulsion; however, the School Board is not required to assign any expelled student to an alternative education program during the term of expulsion.

### **Procedure for School Board Hearing**

The procedure for the School Board hearing shall be as follows:

- The School Board shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be held in a closed meeting unless otherwise specified by the School Board.
- The School Board may ask for opening statements from the principal or his/her representative and the student, his/her parent(s) and their representative.
- The parties shall then present their evidence. The Superintendent or designee shall present his evidence first.
- Witnesses may be questioned by the School Board members and by the parties (or their representative).
- The School Board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the

right to question witnesses provided, however, that the School Board may take the testimony of student witnesses outside the presence of the student, his/her parent(s) and their representative if the School Board determines in its discretion, that such action is necessary to protect the student witness.

- The parties shall produce such additional information as the School Board may deem necessary. The School Board shall be the judge of the relevancy and materiality of the information offered for consideration.
- Documents and other exhibits may be offered by the parties for consideration by the School Board and, when so considered, shall be marked and made part of the record.
- At the discretion of the School Board, closing statements may be allowed.

Action of the School Board to uphold, reject or alter the recommendations will be taken in public session without the public identification of the student. The School Board shall decide the appeal within 30 days from the Superintendent's notification of recommended expulsion, and the School Board will act by majority vote of a quorum. The action will be communicated in writing to the parent and student and the principal and the Superintendent, and the School Board shall address each of the recommendations of the Superintendent.

#### **XV. Re-admission of Long-Term Suspended or Expelled Students**

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to his or her regular school.

No suspended student shall return to the regular school program until such student and his/her parent(s) have met with school officials to discuss improvement of the student's behavior if the notice of suspension requires a parental conference prior to return.

#### **XVI. Expelled Students:**

An expelled student may petition the School Board through the Superintendent's office for re-admission to be effective one calendar year from the date of his/her expulsion. If an expelled student's petition for admission is rejected, the Superintendent or designee shall identify the length of the continuing exclusion period and the subsequent date on which the student may re-petition the School Board for admission. If the petition is rejected by the Superintendent or designee, the expelled student may appeal to the full School Board.

Approved: March 11, 2004  
Amended: December 14, 2015

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