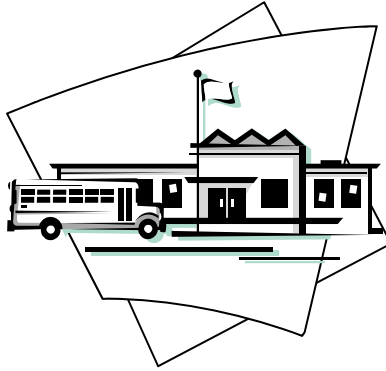


Jefferson County Schools

Student, Parent & Staff Handbook



2019 – 2020

Expected Student Dispositions

- **Self-awareness and Self-management** – students are able to recognize their emotions, describe their interests and values and accurately assess their strengths. They have a well-grounded sense of self-confidence and hope for the future. They are able to manage stress, control impulses and express their emotions appropriately in a wide range of situations. They can persevere in overcoming obstacles as well as set and monitor progress toward the achievement of personal and academic goals.
 - **Social awareness and Interpersonal Skills** – students are able to take the perspective of and empathize with others and recognize and appreciate individual and group similarities and differences. They are able to seek out and appropriately use family, school and community resources in age-appropriate ways. They can establish and maintain healthy and rewarding relationships based on cooperation. They resist inappropriate social pressure; constructively prevent, manage and resolve interpersonal conflict; and seek and provide help when needed.
 - **Decision-making Skills and Responsible Behaviors** – students consider ethical standards, safety concerns, social norms, respect for others and the likely consequences of various courses of action when making decisions at school, at home and in the community. They apply these decision-making skills in academic and social situations and are motivated to contribute to the well-being of their schools and communities.
-

Jefferson County Board of Education

Board Members

Kathryn Skinner, President
Mark Osbourn, Vice-President
Gary Kable
Laurie Ogden
Arthena S. Roper

Superintendent

Dr. Bondy Shay Gibson

DISCRIMINATION PROHIBITED: As required by Federal laws and regulations, including Title IX, the Jefferson County Board of Education does not discriminate on the basis of sex, race, color, religion, disability, age or national origin in employment or in the administration of any of its education programs and activities. Inquiries may be referred to (Director to Career, Technical, and Adult Education) Title IX Coordinator or (Director of Pupil Services) Section 504 Coordinator, Jefferson County Board of Education, 110 Mordington Avenue, Charles Town, WV 25414, Phone: (304) 725-9741; to the State Title IX Coordinator, (304) 558-3401, to the State 504 Coordinator, (304) 558-2696, West Virginia Department of Education, Charleston, WV 25305; or to the U.S. Department of Education's Office for Civil Rights, 1-800-421-3481, TDD 1-800-877-8339.

INDEX

Adult Education	16	Instructional Schedule	12
Alternative Education Program	16	Mission Statement	4
Appeals Procedures for Citizens.....	21	Parental Consent to Access Benefits or Insurances	89
Asbestos Management Plan.....	7	Penalty for Violation of Substance Abuse by Graduating Students	76
Bus Procedures, Jefferson County Schools Transportation Department.....	80	Procedural Safeguards Available to Parents and Students with Exceptionalities	90
Calendar, Board Meetings	8	Procedure for Testing Out of a Class	49
Child Care Services.....	15	School Closings and JCS Channel 18	14
Child Nutrition Program	18	School General Information - Elementary –Middle – High Schools	15
Computer/Internet Policy	33	School Attendance as Condition of Licensing for Privilege of Operation of Motor Vehicle.....	30
Directory for Central Office by Staff Name	9	Search of Students, School, Student Lockers and Student Vehicles	63
Electronic Devices	8	Special Services	16
Emergency Situations, Questions and Answers ..	13	Student Medication and First Aid	67
English as a Secondary Language (ESL)	16	Medication Order Form	68
Expected Behavior Chart, APPENDIX I.....	66	Student Rights and Responsibilities Summary....	69
Expected Behavior in Safe and Supportive Schools.....	65	Substance Abuse Implementation Plan.....	71
FERPA – Letter Regarding Opt Out Form.....	5	Substance Abuse Policy	70
FERPA, Notice of Rights - Procedures of Collection, Maintenance and Disclosure of Student Data	6	Support for Personalized Learning (SPL)	16
Grading and Achievement	42	Testing	17
Grading and Achievement, Grades 1 and 2.....	42	Title I.....	17
Grading and Achievement, Grades 3, 4 and 5.....	43	Tobacco Control Policy.....	77
Grading and Achievement, Grades 6, 7, and 8....	44	Volunteers/Business Partners	17
Grading and Achievement, Grades 9, 10, 11, and 12.....	45	Web Page	14
Grading and Reporting Periods.....	89		
Guidance and Counseling Services.....	15		
Harassment, Racial, Sexual, Disability, Religious/Ethic Harrassment and Violence Policy (Student)...	50		

Jefferson County Board of Education Mission Statement “Our Contract with the Citizens of Jefferson County”

As members of the Jefferson County Board of Education, we will always put our children first in all that we do, as they are our future. We will work constantly to provide excellence in education in all of our schools. Our role is to ensure equality within the school system as well as excellence.

We will provide the necessary leadership to ensure public faith and confidence in the Board of Education. We will be available and accountable to the citizens of this county. We will strive constantly to improve the lines of communication between the Board and the citizens as well as among the Board and the teachers, service personnel, and county office personnel.

We will provide our teachers, service personnel, and county office personnel with consistent leadership and the resources, learning experiences, and support necessary to excel in their positions.

We will account for every expenditure and make the school system budget available and understandable to the people of the county. We will work constantly to find alternative funds to support the budget and to enhance our school system.

We will work with our school personnel to improve our curriculum and to ensure that all students in our system are meeting or exceeding grade level requirements. We will ensure that all students who go through our system are prepared for post-secondary education. We will work to fund additional programs that will enhance our students' education.

We will continue seek out the best management and educational practices to adopt throughout our school system. These may be found to exist already within the Jefferson County School System, in similar school systems throughout America, or among similar operations in the private sector. Our goal is to make the Jefferson County System a recognized leader in providing quality education.

Jefferson County Schools
110 Mordington Avenue
Charles Town, WV 25414
(304) 728-9741

Superintendent:

Bondy Shay Gibson, Ed.D.

Board Members:

Kathryn Skinner, President
Mark Osbourn, Vice-President
Gary Kable
Laurie Ogden
Arthena S. Roper

MEMORANDUM

TO: Parents/Guardians
FROM: Dr. Bondy Shay Gibson, Superintendent
SUBJECT: Student Handbook Verification Form/FERPA
DATE: August 19, 2019

Please read carefully the Federal Education Rights and Privacy Act (FERPA) notice and Jefferson County Schools' Student Handbook. If you have questions regarding the FERPA notice and/or the Jefferson County Schools' Student Handbook, please contact the school principal for further clarification. Thank you.

*The Family Educational Rights and Privacy Act
Notice of Rights – Procedures for Collection, Maintenance and Disclosure of Student Data
(FERPA)*

The Jefferson County Board of Education would like to inform parents of students attending Jefferson County Schools of its policies and procedures regarding student educational records. Parents or eligible students have the following rights:

- The right to inspect and review the student’s education records within forty-five days of the day Jefferson County Schools receives a request for access.
- The right to request the record(s) they wish to inspect in writing to the school principal. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
- If Jefferson County Schools decides not to amend the record as requested by the parents or eligible student, Jefferson County Schools will notify the parents or eligible students of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents or eligible students when notified of the right to a hearing.
- 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.
- One exception which permits disclosure without consent is a disclosure to school officials with legitimate educational interests. Jefferson County Schools’ Procedures defines “school official” as the student’s current teacher(s), school administrative staff, school counselors, psychologist, evaluators, board of education, central office administrative staff, social workers, and trained support personnel; secretaries, teacher aides with direct professional supervision, who are employed or contracted by the Jefferson County Board of Education.
- A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibility.
- The right to know that, upon request, education records will be forwarded to other agencies or institutions in which a student seeks or intends to enroll.
- At age eighteen, all rights given to parents transfer to the student. The student will receive any notices sent to parents and may exercise these same rights, unless the student has been determined incompetent under state law.
- Schools may disclose a student’s records without parental consent to a state or local child welfare agency legally responsible for the care and protection of the student as long as further disclosure is limited to authorized representatives of the agency for an educational purpose. FERPA has also been changed so parents do not have to be notified when schools provide student information pursuant to a subpoena or court order requested in a child abuse or neglect case brought against the parents.
- *The right to know that the following directory information may be disclosed without parental consent: student’s name, parent/guardian’s names, address, telephone listing, date and place of birth, major field of student, photograph, for participation in sports the student’s weight/height of members of athletic teams, dates of attendance, degree received, awards received, and most recent educational agency or institution attended. Parents must inform the school system within ten days of this notice if they refuse disclosure of this information, or if they refuse the disclosure of this information to the armed forces.*
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by Jefferson County Schools to comply with the requirements of FERPA. Complaints can be filed through the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S. W., Washington, DC 20202-4605.

Jefferson County Schools
110 Mordington Avenue
Charles Town, WV 25414
(304) 728-9741

Superintendent:
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**PUBLIC NOTIFICATION OF ASBESTOS MANAGEMENT PLAN
2019-2020 SCHOOL YEAR**

TO: STAFF, STUDENTS, LEGAL GUARDIANS & BUILDING OCCUPANTS

This is to make you aware that the Jefferson County Board of Education has an Asbestos Management Plan in place. This management plan is available for review at the Board of Education Office, and is on file in each School Administrative Office.

Over the past year, two periodic surveillance inspections of the schools districts' buildings were conducted.

During the next year, the six-month asbestos periodic surveillance program will continue. Jefferson County Schools currently has no plans for additional abatements in the coming year.

If you have any questions concerning the Jefferson County Schools Asbestos Management Plan, please contact the Jefferson County Schools Maintenance Department at 304-725-5711.

**Jefferson County Schools is insured by the West Virginia Board of Risk and Insurance
Management (BRIM).**

Board Meeting Calendar

The Board of Education meets regularly on the 2nd and 4th Mondays of each month in the Board Room, Jefferson County Board of Education Office, 110 Mordington Avenue, Charles Town, WV. All meetings will begin at 7:00 PM. All board of education meetings are recorded and shown on JCS Television Channel 18 and the YouTube Channel – jeffcountyschoolswv. For the cable schedule, please see JCS Television Channel 18 for broadcast times. Regular scheduled meetings are open to the public.

Electronic Devices

Schools will establish and enforce guidelines governing the use of electronic devices (cell phone, iPod, iPad, Kindle, Nook, Student Responder, etc.). All on-line activities must be for educational purposes approved by the school administrator.

Please see the **Computer/Internet – Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy**



BOARD OF EDUCATION EMPLOYEES

NAME	PHONE / EXT	TITLE
VACANCY	728 - 9271	Psychologist
Arvon, Debbie	728 - 9238	Coordinator of Middle Schools
Bailey, Tami	728 - 9245	Secretary, Human Resources
Ballenger, Monica	885 - 5005	Secretary, Technology
Beahm, Rachel	728 - 9253	Secretary, Human Resources
Buchanan, Susan	728 - 9249	Secretary, Attendance, Records Manager
Burch, Patricia	728 - 9222	Payroll Supervisor/Accountant/Secretary
Burrows, James	725 - 9741	Custodian
Butts, Rebecca	728 - 9228	Administrative Assistant, Curriculum and Instruction
Cooley, Bryan	725 - 9291	Human Resources Facilitator
Cooper, Charles	728 - 9232	Psychologist
Davis, Mike	725 - 3071	Network Administrator
Dilly, Shawn	728 - 9233	Deputy Superintendent for Instructional Support
Dodson, Wendy	728 - 9224	Secretary, Adult Career Ed. and Social and Emotional Support
VACANCY	728 - 9231	Psychologist
Durbin, Mary Ruth	728 - 9247	Accounts Payable Supervisor
Ebersole, Lee	728 - 9256	Director of Social and Emotional Support
Feagans, Teresa	728 - 9226	Senior Accountant, Payroll and Employee Services
Ferro, Cathy	728 - 9258	Coordinator of High Schools
Fogle, Hans	728 - 9240	Public Relations Officer
Gibson, Bondy Shay	728 - 9225	Superintendent
Harner, Janet	728 - 9225	Executive Assistant to the Superintendent
Hetzel, Sherry	728 - 9239	Coordinator of Elementary Schools, PK – 2
Hoff, Sheri	728 - 9221	Director of Attendance/Safety and Security
Horning, Christy	728 - 9257	IEP Coordinator for Elementary Schools
Jones, Cindy	728 – 9242	Director of Pupil Services
Loring, Amy	728 - 9246	Chief Human Resource Officer
Vacancy	728 - 9270	Psychologist
Lassak, Dawn	728 - 9255	Secretary, C & I
Lloyd, Mary Ellen	728 - 9237	Facilitator of Student Support Services
VACANCY	728 - 9284	Psychologist
Marrone, Beth	728 - 9244	Treasurer/Chief Business Official
Mahoney, Tara	728 - 9024	Coordinator of Elementary Schools 3 - 5
McCauley, Debbie	728 - 9282	Secretary, Human Resources
VACANCY	728 - 9280	Auditor
Moore, Robin	728 – 9273	Secretary, Pupil Services
VACANCY	724 - 9546	Board Certified Behavior Analyst
Nace, Tina	728 - 9210	Secretary, Pupil Services

NAME	PHONE / EXT	TITLE
Ortez, Bryan	725 - 3011	Adult Education/Integrated English Language Educator
Pangle, Jill	728 - 9235	IEP Coordinator for Middle Schools
Pritts, Erica	728 - 9234	IEP Compliance Consultant
Rehberger, Beth	725 - 3011	Adult Education/High School Equivalency Teacher (TASC)
Reinhardt, Beverly	728 - 9236	Secretary, Director of Pupil Services
Rinker, Kathy	725 - 9741	Receptionist
Rogers, Mary	725 - 9741	Mail Clerk
VACANCY	728 - 9240	Facilitator of Cultural Diversity
Rowan, Jennifer	728 - 4364	Director of Technology
Smith, Peggy	728 - 9227	Manager of Certification and Licensure
Soltis, Martin	728 - 9248	Coordinator of Career, Technical & Adult Education
Todd, Shelby	728 - 9254	Coordinator of Benefits
White, Alex	728 - 9220	Coordinator of At-Risk Programs
Whittington, Carol	885 - 5007	Testing Specialist/Career Development
White, Joyce	728 - 9265	Interim Deputy Superintendent of Operations
Woods, Gail	728 - 9260	Public Relations
VACANCY	728-9227	Assistant Treasurer
VACANCY	724-5768	Senior Accountant - ½ Time
Vandell, Thomasa	885-5058	OLC
MAINTENANCE DEPARTMENT		
NAME	PHONE / EXT	TITLE
Caton, Brandan	728 - 5470	Coordinator of Maintenance & Facility Planning
Hamilton, Kevin	728 - 5471	Supervisor of Maintenance
Cogle, Sue	725 - 5711	Sec., Coordinator of Maintenance & Facilities Planning
Slusher, Judy	728 - 5472	Purchasing Clerk
IMPORTANT FAX NUMBERS		
Superintendent's Office	304-725-6487	
Attendance	304-728-4574	
Finance Office	304-728-0401	
Human Resources	304-728-9274	
Pupil Services	304-724-9549	
Switchboard	304-724-5311	
Technology	304-728-5480	
WVDE	304-558-0048	

JEFFERSON COUNTY TRANSPORTATION & OPERATIONS FACILITY		
TRANSPORTATION DEPARTMENT		
Bush, David	885 - 5099	Coordinator of Mechanics
Campbell, David	885 - 5089	Parts Manager
Carper, Sam	885 - 5096	Supervisor of Transportation
Mason, Rhonda	885 - 5098	Supervisor of Transportation
McElwee, June	725 - 7664	Clerk/Aide
Silveous, Donnie	885 - 5084	Shop Foreman
Swinney, Brenda	885 - 5097	Secretary, Transportation
White, Joyce	885 - 5093	Director of Transportation
Willingham, Larry	885 - 5092	Computer Operator/School Bus Routing
ROOM / OFFICE / DEPT	PHONE / EXT	
Testing Room	885 - 5087	Computer Testing
Training Room	885 - 5086	Driver Trainers
Trans Dept Main Number	725 - 7664	
Trans Dept EMERGENCY #	885 - 5094	
School Bus Main. Dept	885 - 5081	Mechanics
Bus Dispatch Office	885 - 5080	
Staff Development Room	724 - 2689	
CHILD NUTRITION DEPARTMENT		
Blue, Dorrie	728 - 9276	Accountant/Secretary/Clerk, Child Nutrition
Demastes, Jinny	728 - 9201	Coordinator of Child Nutrition
Smith, Robin	728 - 9230	Accountant/Secretary II, Child Nutrition

Instructional Schedule

Instructional times are subject to change due to bus schedules

Student arrival times are prior to instructional times. Please refer to each school's handbook for student arrival and dismissal times.

Blue Ridge Campus

Blue Ridge Elementary
8:55 AM – 3:35 PM
18866 Charles Town Road
Harpers Ferry, WV 25425
Phone: 304-725-2995
Fax: 304-728-7041

Blue Ridge Primary
8:55 AM – 3:35 PM
175 Lowery Lane
Harpers Ferry, WV 25425
Phone: 304-724-3300
Fax: 304-724-3301
Susan Zigler, Principal
Tara Lusby, Asst. Principal

Charles Town Middle
7:50 AM – 2:50 PM
193 High Street
Charles Town, WV 25414
Phone: 304-725-7821
Fax: 304-728-7526
Matthew Wink, Principal

Driswood Elementary
8:45 AM – 3:25 PM
75 Caspian Way
Shenandoah Junction, WV 25442
Phone: 304-885-5020
Fax: 304-725-1936
Kelly Osborne, Principal

Harpers Ferry Middle
7:52 AM – 2:52 PM
1710 W. Washington Street
Harpers Ferry, WV 25425
Phone: 304-535-6357
Fax: 304-535-6986
Eric Vandell, Principal

Jefferson High
7:45 AM – 2:45 PM
4141 Flowing Springs Road
Shenandoah Junction, WV 25442
Phone: 304-725-8491
Fax: 304-728-6590
Sherry FitzGerald, Principal

North Jefferson Elementary
8:45 AM – 3:25 PM
6996 Charles Town Road
Kearneysville, WV 25430
Phone: 304-725-9587
Fax: 304-728-7331
Nicole Johnson, Principal

Page Jackson Elementary
9:00 AM – 3:40 PM
370 Page Jackson School Road
Charles Town, WV 25414
Phone: 304-728-9212
Fax: 304-725-2968
Nicole Shaffer, Principal

Ranson Elementary
8:25 AM – 3:00 PM – Kindergarten
8:25 AM – 3:05 PM – Grades 1 & 2
8:25 AM – 3:10 PM – Grades 3, 4 & 5
600 North Preston Street
Ranson, WV 25438
304-725-7310
Fax: 304-725-1912
Debra Corbett, Principal

Shepherdstown Elementary
8:50 AM – 3:30 PM
662 S. Church Street
Shepherdstown, WV 25443
Phone: 304-876-6270
Fax: 304-876-6850
Nancy McManus, Principal

Shepherdstown Middle
7:40 AM – 2:40 PM
54 Minden Street
Shepherdstown, WV 25443
Phone: 304-876-6120
Fax: 304-876-1826
Rebecca Horn, Principal

C. W. Shipley Elementary
9:00 AM – 3:40 PM
652 Shipley School Road
Harpers Ferry, WV 25425
Phone: 304-725-4395
Fax: 304-728-7388
Dr. Dawn Tyler, Principal

South Jefferson Elementary
8:55 AM – 3:30 PM
4599 Summit Point Road
Charles Town, WV 25414
Phone: 304-728-9216
Fax: 304-725-6025
Keri Mahoney, Principal

T. A. Lowery Elementary
9:00 AM – 3:40 PM
103 Shenandoah Junction Road
Shenandoah Junction, WV 25442
Phone: 304-728-7250
Fax: 304-728-7631
Kristen Martin, Principal

Washington High
7:45 AM – 2:45 PM
300 Washington Patriots Drive
Charles Town, WV 25414
Phone: 304-885-5110,
Fax: 304-885-5108
Judy Ann Marcus, Principal

Wright Denny Elementary
8:50 AM – 3:30 PM
209 West Congress Street
Charles Town, WV 25414
Phone: 304-725-2513
Fax: 304-725-1721
Chris Walter, Principal

Wildwood Middle
7:46 AM – 2:46 PM
1209 Shenandoah Junction Road
Shenandoah Junction, WV 25442
Phone: 304-728-4518
Fax: 304-728-9521
Jennifer Moss, Principal

Martin Robison Delany Opportunity Learning Center
7:40 AM – 2:30 PM
306 S. Lawrence Street
Charles Town, WV 25414
Phone: 304-885-5058
Thomasa Vandell, Administrative Facilitator

Board of Education
8:00 AM – 4:00 PM
110 Mordington Avenue
Charles Town, WV 25414
Phone: 304-725-9741
Fax: 304-724-5311
Dr. Bondy Shay Gibson, Superintendent

Department of Transportation (Bus Garage)
754 Shenandoah Junction Road
Shenandoah Junction, WV 25442
Phone: 304-725-7664
Fax: 304-725-5042
Joyce White, Director

Maintenance Department
201 West North Street
Charles Town, WV 25414
Phone: 304-725-5711
Fax: 304-728-7022
Brandan Caton, Coordinator of Maintenance & Facility Planning

Questions and Answers about Emergency Situations in Jefferson County Schools

Parents are reminded that in these days of heightened security, all school system employees take student safety very seriously. Rest assured that it is the system's primary focus to provide a safe and secure school environment.

- *If there is an emergency situation, how will I be notified?*

Every effort is made to contact the parent directly via the school, Transportation Department, or other offices. In addition, JCS Television Channel 18, the web page for Jefferson County Schools, local radio and TV stations, and the school system's "helpline" (304-724-5100) all carry important emergency information.

- *Does the school and school system have emergency plans in place?*

Yes, a very detailed plan which addresses all types of situations from natural disasters to active threats/intruders has been completed and is in each school. Each school's principal and safety committee supervise implementation of the local school plan. Also, a detailed chain-of-command exists to provide appropriate decision-making in event of an occurrence. In ALL cases, the safety of students is of paramount concern.

- *Does the school system cooperate with other agencies to enhance the safety of the students?*

Yes, the school system does cooperate with various public and private agencies including the local law enforcement, American Red Cross, various federal agencies, regional educational and civil authorities. Frequent meetings are held to maintain constant communication with these groups' representatives.

School Closings

Immediately following the decision to close, delay, or dismiss schools early, notification to radio and television stations begins. Simultaneously, the information is posted on the web page (<http://jeff.ss18.sharpschool.com/>), broadcast on the school system’s JCS Television Channel 18, and recorded on the information hotline (724-5100). Every effort is made to announce such decisions as early as possible. The following radio and television stations broadcast school closings and delay information. Check the web page for e-mail notification information.

Radio Stations	TV Stations
WRNR – 740 AM, 106.5 FM – Martinsburg, WV WUSQ – 102.9 FM – Winchester, VA WKSI – 98.3 FM – Stephens City, VA WFQX – 99.3 FM – Winchester, VA WMRE – 1550 AM – Charles Town, WV WLTF – 97.5 FM – Martinsburg, WV WPEM – 1340 AM, 93.7 FM – Martinsburg, WV WILC – 95.9 FM – Martinsburg, WV WARK – 1490 AM – Hagerstown, MD WARX – 106.9 – Hagerstown, MD WFRE – 93.0 AM – Frederick, MD WFMD – 99.9 FM – Frederick, MD WVEP – 88.9 FM – WV Public Radio – Martinsburg, WV WINC – 92.5 FM – Winchester, VA WWRT – 105.5 FM – Strasburg, VA WWRE – 104.9 FM – Berryville, VA WCRH – 90.5 FM – Williamsport, MD WCST – 110 AM Berkeley Springs, WV AM WTOP – 103.5 FM, 103.9 FM, 107.7 FM Washington, DC	WDVM– Hagerstown – Channel 25 WJLA – Washington, DC – Channel 7 WUSA – Washington, DC – Channel 9 NBC4 – Washington, DC – Channel 4 WTTG – Washington, DC – Channel 5 JCS Television – home

Web Page

Emergency school closing information is posted on the Jefferson County Schools web page at <http://boe.jeff.k12.wv.us>. Information about school activities, meeting notices, board policies, board decisions, adult and community education classes, and news about each school is also available on the Jefferson County Schools web site.

JCS Television Channel 18

In addition to emergency information, JCS Television Channel 18 provides Jefferson County Board of Education related announcements and recorded programming of regular school board meetings. Regular Board of Education meetings are televised as follows: 10:00 PM on Wednesday, 8:00 PM on Friday, 3:00 PM on Saturday, and 8:00 AM on Sunday.

General Information

Elementary – Middle – High Schools

Within the Jefferson County school system, there are two high schools serving grades 9 – 12, four middle schools serving grades 6 – 8, eight elementary schools serving grades K – 5, one elementary school serving grades K – 2, one primary school serving grades K – 1, and one elementary school serving grades 3 – 5, and pre-kindergarten programs.

Each secondary school collects and disseminates current information that assists students to make choices about courses, five-year plans, and post-secondary education occupations.

Before school and after school daycare are offered in several elementary schools through contracted services **if enrollment permits:**

Child Care Services

<p>Child care services offered before and after school</p> <p style="text-align: center;">If you have questions regarding this service, please contact your principal.</p>	<p>Blue Ridge Primary Blue Ridge Elementary Driswood Elementary North Jefferson Elementary Page Jackson Elementary Ranson Elementary Shepherdstown Elementary C. W. Shipley Elementary South Jefferson Elementary T. A. Lowery Elementary Wright Denny Intermediate</p>
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School Counseling Services

The Jefferson County Board of Education assures implementation of programs designed to assist all students in the identification and realization of educational, career, and social goals through the following services:

Orientation – Each school provides activities that assist students to become acquainted with their new school, to know the school staff, and to understand course offerings, school rules, and school goals.

Student Records – Each school will organize, collect and maintain cumulative and other school records. These will include the interpretation of assessment data. This data is made available to students, teachers, parents, and administrators as needed for the decision-making process.

Guidance – Individual and group interactions assist students to establish educational and career goals, and to create solutions to academic, personal, and social problems.

Consultation – Counselors interact with parents, teachers, and community agencies regarding strategies and services to assist students.

Placement Awareness – Counselors organize activities to assist students in locating appropriate post-secondary employment or further training.

Adult Education

This program provides adults who did not complete high school with high school equivalency preparation. Adult Education also provides English as a Second Language (ESL), remedial, career education, and career counseling services. Classes and high school equivalency testing are offered free of charge with all books and materials supplied. Adult Education classes are held at the Jefferson County Adult Learning Center at 401 S Fairfax Blvd, Ranson, WV 25438. For more information about the program, testing, and applications call the Jefferson County Board of Education at (304) 728-9224, or contact the instructor at (304) 725-3011. Additional information may also be found on-line at <http://jeff.ss18.sharpschool.com/>

Alternative Education Program

The Jefferson County Board of Education operates an Alternative Education Program for students in grades 6 – 12 for whom a traditional classroom setting is not appropriate. Students are transferred to the Martin Robison Delaney Opportunity Learning Center (OLC) following a recommendation by the School Assistance Team (SAT).

English as a Second Language (ESL)

Through the ESL program, students receive content-based English as a Second Language instruction, an approach which uses instructional materials, learning tasks, and techniques from academic content areas as the vehicle for developing language, content, and cognitive skills. English Language Learners (ELL) in Jefferson County receive as much of their instruction as possible in the regular classroom setting. Classroom and ESL teachers share responsibility for supporting ELL students as they learn both the English language and challenging academic content (math, science, social studies, and other subjects). Based on WESTELL test level, past academic performance, teacher recommendations and individual factors impacting learning, ELL students are provided with one or more of the following:

- Individual/small group pull-out instruction with an ESL teacher
- ESL instruction in a separate ESL class
- ESL inclusion support (co-teaching/collaborative teaching with the ESL teacher) within a regular class
- Full mainstream participation with ESL monitoring

For more information on the ESL program and translation services, please call the Office of Special Programs at (304) 728-9256 or 728-9224.

Support for Personalized Learning

The West Virginia Support for Personalized Learning (SPL) framework is a statewide initiative that suggests flexible use of resources to provide relevant academic, social/emotional and/or behavioral support to enhance learning for all students. SPL is characterized by a seamless system of high quality instructional practices allowing all students to sustain significant progress, whether they are considered at-risk, exceeding grade-level expectations or at any point along the continuum.

Special Services

Special Education services are available for students from age of 3 to 21 who have special instructional needs which affect their educational performance. Students' educational rights are transferred to the students at the age of 18.

Once a student has been identified as a student with a disability, an Individual Education Plan (IEP) is developed to provide appropriate instruction for the student. The IEP team will consider the disability, evaluations, and other data when developing the IEP.

Testing

West Virginia Measures of Academic Progress (WVMAP), tests to measure student mastery of Career and College Ready currently include: The West Virginia General Summative Assessment (WVGSA) for grades 3 through 8, the SAT School Day in grade 11, the West Virginia Alternate Summative Assessment (WVASA), the National Assessment of Educational Progress (NAEP), and various international assessment administered by the National Center for Education Statistics (NCES). These assessments are designed to provide information about the performance of students, schools, districts and the state. The WVDE office is responsible for implementation of West Virginia Board of Education Policy 2340, *West Virginia Measures of Academic Progress*.

Career Tech Ed Completers are required to take NOCTI assessment, National Occupational Competency Testing Institute assessment. Students in Grades 4-8 and during the required high school course participate in the FITNESSGRAM assessment and reporting.

Title I

The Title I program provides supplemental instructional services to address the academic needs of students residing in attendance areas with a high concentration of disadvantaged families. For information about Title I programs, contact the Coordinator of Special (Federal) Programs at (304) 728-9256.

Volunteers/Business Partners

The Board believes that school volunteers from the community can provide assistance to the professional educator in meeting the needs of students, particularly at the elementary school level. Persons who wish to serve the county at a school shall contact the principal in charge of the building. He/she shall have the responsibility of screening applicants, making assignments, and supervising their activities. Volunteers shall not be used to supplant professional, service or auxiliary employees.

Child Nutrition Program

The Jefferson County School System is concerned about student nutrition and nutritional needs. Because of increased awareness and concerns about the nutritional integrity of snacks and meals served at school, the West Virginia Board of Education approved Policy 4321.1 (<http://wvde.state.wv.us/policies/p4321.1.pdf>) to ensure that snacks and meals provided to students will be of the highest nutritional value.

The West Virginia Department of Education – Child Nutrition website toolbox – www.wvsmartfoods.com – enables parents, schools, students and community leaders to review the five key components of WVDE Policy 4321.1 - Eating at School is Cool; Fruitful Fundraising; Healthy Snacks; Rewarding Success; Let's Party, Let's Play. We are asking parents to monitor closely and offer only healthy choices for their classroom celebrations. The website - www.wvsmartfoods.com - has a nutrition calculator to assist parents to determine if their food items meet the guidelines.

Free and Reduced Meals

A new application is required for each school year. Continuing this year (2019–2020) applications will be submitted online. You may go to the website – <http://wvschoolmeals.net> – to submit your application. You will receive an approval or denial letter once the application has been processed. **It is important to keep those letters for your records.**

If a student has been on Free/Reduced status for the previous year, that status will carry over 30 operating days into the new school year, **October 1st, 2019**. However, if a new application has not been received in the Child Nutrition Office, [635 McGarry Blvd. Kearneysville, WV 25430](#), by that date, the student's status will go back to **Full Pay Status**. If a family has not processed an application at the beginning of the school year for free/reduced meals or needs assistance with completing the application, please call or visit the Child Nutrition Office at [635 McGarry Blvd. Kearneysville, WV 25430](#) - (304) 728-9201 or 728-9230. It is very important to complete this process. Account balances cannot be removed due to a misplaced/lost application.

Offer versus Serve

Offer vs. serve will be implemented in all schools for grades 3 through 12. Those students may choose to decline one or two of the food items. However, their tray must include a fruit or a vegetable. The full price for a school meal is not affected by declining a food item.

Collection Procedure

When payment is not received by the due date, any account of \$65.00 or more, will receive a notification letter sent from the Office of Child Nutrition to the student's parent/guardian requesting payment on student account. The notification letter will contain the current amount overdue, options of payment, Restrictions and information about how to complete the Free/Reduced Meal Application. Restrictions are – request for inter-county transfers and purchase of senior high parking permits will be denied. Documentation of contact will be recorded. When a past due account has no payment made within 60 calendar days or \$250.00, the delinquent account will be pursued through a collection agency.

Community Eligibility Participation (CEP)

The following schools are the CEP schools (no meal cost): Blue Ridge Primary, Blue Ridge Elementary, North Jefferson Elementary, Ranson Elementary, and T. A. Lowery Elementary.

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's

income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited basis will apply to all program and/or employment activities.). If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request a form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442; or email at program.intake@usda.gov. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (ISanish). USDA is an equal opportunity provider and employer.

Breakfast and Lunch Information

The school cafeteria is a vital part of the school. Research confirms that a hungry child does not perform well in school. Well-balanced breakfasts and lunches are offered to encourage good nutrition at a reasonable price. Because the Jefferson County Schools' Child Nutrition Office operates a centralized accounting system, students may pay for their meals in advance, at the time the meal is served, or when billed on a monthly basis. Invoices of accounts \$10.00 and greater will be mailed to student's parent/guardian on record. All monthly invoices will contain the due date and are due in full. When using any of the payment methods listed below, please indicate the student's name and ID number for proper credit. If you have a question about your account balance, please send a written request specifying your concerns to Jefferson County Schools – Department of Child Nutrition, 635 McGarry Blvd. Kearneysville, WV 25430. A written reply will be forwarded within 30 days of receipt of the request.

Payment Methods

- Pay at the time the meal is served (Point of Service [POS])
- Pay by phone using Visa, MasterCard, Discover, American Express. Call (304) 728-9276, 728-9201 or 728-9230
- Mail your check to the Child Nutrition Office, Jefferson County Schools, 635 McGarry Blvd. Kearneysville, WV 25430
- Pay online at schoolcafe.com
- Pay by check, Visa, MasterCard, money order, or cash in person at the Jefferson County Schools Child Nutrition Office, 635 McGarry Blvd. Kearneysville, WV 25430

If you have any questions related to the Child Nutrition Program, please contact the Child Nutrition Coordinator by calling (304) 728-9230 or 728-9230.

Elementary

Breakfast – Regular: \$1.25/Reduced: 0 cents*

Lunch – Regular: \$1.50/Reduced: 0 cents*

Secondary

Breakfast – Regular: \$1.25/Reduced: 0 cents*

Lunch – Regular: \$1.75/Reduced: 0 cents*

High School Double Lunch Policy

1st lunch: \$1.75/2nd lunch: \$4.25: Double lunch cost: \$6.00

Must have cash for the 2nd lunch or money on food account

ADULT MEALS Breakfast \$3.25 and Lunch \$4.25

Meal Prices

*Jefferson County Schools will continue to designate reduced meal status as “Free” with “0” charges to students.

Policies

General Information

Some, but not all, of the school system policies are contained in this handbook. All policies are available for review by accessing the school system web page at <http://jeff.ss18.sharpschool.com/> at any Jefferson County school, or at the Jefferson County Board of Education. For additional information, contact the school system at (304) 725-9741.

Appeals Procedures for Citizens

§126-188-1 General

- 1.1. Scope – The purpose of this appeals procedure is to provide a way for citizens to work with county boards of education and administrative officials in seeking solutions to problems when there appears to be a failure to provide elements of a high quality education that resources permit the school district to provide or for violation of any other legal duty. Both the schools and the citizenry of the community are better served when a sincere effort is made to find constructive solutions to problems that may arise. It is the intent of this procedure to provide a simple, straightforward, and easily understood method for solving problems at the lowest possible administrative level, as fairly and as quickly as possible. However, the procedures set forth in the document are not deemed to be a pre-condition to seeking relief in some other forum.
- 1.2. Authority – W. Va. Code '18-2-5
- 1.3. Filing Date – September 8, 1987
- 1.4. Effective Date – October 9, 1987
- 1.5. Repeal of former rule – None -This rule contains amendments in two sections which add procedures for public notice of this policy and change the hearing officer's authority at level IV.

'§126-188-2 Definitions

- 2.1. Appeal – An "appeal" is a claim by one or more citizens of a violation of state law or the policies, rules and regulations of the West Virginia Board of Education. The written appeal will identify the specific state law or state board policy, rule or regulation which is claimed to be violated, and shall include as much information as possible to describe the alleged violation. Copies of the policies, rules and regulations of the West Virginia Board of Education are to be available for public review at each county board of education office. The term "appeal" shall not apply to any situation where the county board of education is without authority to act or where the method of appeal is specifically established by law, such as appeals regarding the placement of exceptional children. Additionally, the term "appeal" shall not apply when a citizen has a personal complaint about a school employee. Each county board of education shall establish its own specific procedures to handle complaints about school employees and for other citizen's complaints which are not governed by this policy.
- 2.2. Days – Days shall mean the days the business office of the county board of education is open. Such offices are generally closed on Saturdays, Sundays, and official holidays. Concerns related to a single school only should be brought to the attention of the school principal during the school term.
- 2.3. State Law – State law shall mean the constitutional principles, statutory provision, judicial law, and administrative law of the State of West Virginia.

§126-188-3 Procedure

- 3.1 Distribution of Appeals Procedure – Copies of this appeals procedure will be readily accessible to citizens at the office of the state superintendent of schools, the office of each county board of education, and at each public school.
The principal at each public school will inform the parents annually at the beginning of the instructional term of this policy and its contents.
- 3.2. Appeal Forms – The state superintendent of schools shall prepare and distribute appropriate forms for each appeal level. Such forms shall be available at the office of the state superintendent of schools, the office of each county board of education, and at each public school.
- 3.3. Filing of Appeals – The citizen making the written appeal shall provide as much information as possible at the time the appeal is filed; however, additional supportive information may be presented at any level. Once an appeal has been filed, the claim itself may not be altered greatly in content or wording. If such changes are necessary, a new appeal should be filed.
- 3.4. Time Limits – Since it is important that an appeal be processed as rapidly as possible, the number of days indicated at each level shall be considered the maximum. A time limit may, however, be extended by mutual agreement.
- 3.5. Meetings, Private/Public – All meetings and hearings shall be conducted in private, except that hearings before the county board of education or the state superintendent of schools or his/her designee may be open at the request of either party. If during an open hearing, the hearing officer(s) at the county or state level feels that either party is discussing matters of a personal nature, the hearing may then be closed for the period of time that such personal matters are being discussed.
- 3.6. Representation – The person or persons filing the appeal may have the assistance of as many as three representatives at conferences and meetings held at Levels I and II. Likewise, the administration at Levels I and II may be represented by no more than three persons. At Levels III and IV, any number of representatives may be present. If either party is to be represented by legal counsel, sufficient advance notice must be given the other party.
- 3.7. Written Decisions – Except at the informal level, all decisions rendered shall be in writing, setting forth the decision and the reasons therefore. The decision shall be transmitted promptly to all parties.

§126-188-4 Processing of Appeals

As the primary goal of the appeals procedure is to establish better communications between school officials and citizens, it is important for parents and citizens to discuss their problems with the proper school administrator, usually the school principal or the supervisor/director at the county office. Accordingly, citizens will first informally discuss their concerns with the proper administrator prior to filing a formal appeal under this procedure. If the matter cannot be resolved informally, the administrator shall provide the citizen with the proper appeal form.

- 4.1. Level I – In the event that the concern is not resolved informally, a formal, written appeal may be filed with the principal or school administrator by the citizen or by a group of citizens in behalf of themselves and all other so affected. The appeal shall be on the prescribed form and will be signed by all persons filing the appeal.

Should the principal or other administrator be without authority to act on the appeal, it may be filed directly with the county superintendent of schools. If, however, the county superintendent feels that the appeal can be resolved at Level I, it will immediately be referred to the proper administrator.

A written decision by the Level I administrator shall be made within ten (10) days after receipt of the appeal. Should either party request a conference at this level, the Level I administrator will have five (5) additional days to provide the written decision. When the

decision is not in favor of the citizen(s), a copy of the Level II appeal form shall be included with the decision.

4.2. Level II – Within fifteen (15) days after receiving the decision of the Level I administrator the aggrieved citizen(s) may appeal the decision in writing on the prescribed form to the county superintendent of schools. The superintendent or his/her designee shall, within ten (10) days, have a conference with the citizen(s) in an attempt to resolve the appeal. The superintendent or his/her designee shall issue a written decision within ten (10) days following this conference. When the decision is not in favor of the citizen(s), a copy of the Level III appeal form shall be included with the decision.

4.3. Level III – Within fifteen (15) days of receiving the decision of the county superintendent, the aggrieved citizen(s) may appeal the decision in writing on the prescribed form to the county board of education. The appeal shall be transmitted to the county superintendent who shall, within three days, provide a copy to each member of the county board of education. Copies of all prior decisions and all other written materials related to the grievance also will be provided board members.

A hearing on the appeal shall be held by the county board of education if requested by the aggrieved citizen(s) when filing the Level III appeal or if the board itself determines that a hearing should be held.

For an appeals hearing held before a county board of education, the usual and customary procedures for administrative hearing will prevail, including proper notice of the hearing, the opportunity to be represented by counsel, the opportunity to present evidence and testimony, the opportunity to call witnesses and the opportunity to cross-examine adverse witnesses. A court reporter may be provided by either party.

When a hearing is held, the decision of the county board of education will be by majority vote of those members participating in the hearing and shall rest solely upon the evidence properly presented at the hearing.

A decision shall be rendered by the county board of education within twenty-five (25) days following receipt of the Level III appeal. The board may affirm, modify, or reverse the Level II decision and require such remedial action as it deems necessary. When the decision is not in favor of the citizen(s), a copy of the Level IV appeal form shall be included with the decision.

4.4. Level IV – If the aggrieved citizen(s) is not satisfied with the decision of the county board of education, the decision may be appealed to the state superintendent of schools. The appeal shall be submitted within thirty (30) days of receiving the decision of the county board of education. A copy of the Level IV appeal and any supporting documents shall, at the same time, be transmitted to the county superintendent of schools.

At the request of either party, a hearing shall be conducted by an impartial review officer appointed by the state superintendent.

Both the citizen(s) and representatives of the county board of education shall be permitted to appear before the impartial review officer. The hearing shall be conducted in accordance with the usual and customary rules governing administrative hearings and shall be held at a place designated by the impartial review officer. Upon agreement of the parties, the impartial review officer may visit the county to secure additional facts and information related to the appeal.

The decision of the impartial review officer shall be issued within thirty (30) days of receipt of the appeal and shall be final unless altered or set aside by a court of competent jurisdiction. The decision of the impartial review officer may be appealed to the appropriate court or review may be sought by original proceeding.

6. Attendance

The Jefferson County Board of Education recognizes that a direct relationship exists between students' daily school attendance and academic performance, graduation, and good work habits. This attendance policy promotes students' daily school attendance. Daily attendance is necessary for students to meet their schools' academic program standards as each day's learning builds on the work previously completed. While students and parents/guardians have the ultimate responsibility for daily school attendance, the laws of West Virginia require school administrators to enforce compulsory school attendance, and to provide an environment conducive to, and encouraging of, attendance. It is the Board's intent to increase attendance by creating a positive safe environment conducive to learning and committed to helping students develop responsibility, self-discipline, and other good work habits and developing a system enlisting parental/guardian support for daily school attendance by students.

6.1. Definitions

- 6.1.a. Absence - Not being physically present in the school facility for any reason.
- 6.1.b. Allowable Deductions for Schools - Beginning with the 2016-2017 school year, the only allowable deductions that result from school approved curricular/co-curricular activities are, students not in attendance due to disciplinary measures and school/county directed placements outside the traditional classroom environment including but not limited to homebound placement and in-school suspension.
- 6.1.c. Attendance – For statistical purposes, attendance will be reported and aggregated to the nearest half day according to the definitions in sections 6.1.d. and 6.1.e.
- 6.1.d. Full-day attendance means being present at least .74 of the school day.
- Perfect Attendance is being present every day at least .74 of the school day.
 - Faithful Attendance is not being absent more than five days during the year.
- 6.1.e. Half-day attendance means being present at least .50 of the school day.
- 6.1.f. Attendance Rate – The number of days present divided by the number of days of membership, multiplied by one hundred, equals attendance rate for students on the attendance registers in grades K-12.
- 6.1.g. Dropout – A dropout is an individual who:
- 6.1.g.1. was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year; or
 - 6.1.g.2. was not enrolled on October 1 of the previous school year although expected to be in membership (i.e., was not reported as a dropout the year before); and
 - 6.1.g.3. has not graduated from high school, obtained a Test Assessing Secondary Completion (TASC) diploma, or completed a state- or district-approved education program; and
 - 6.1.g.4. does not meet any of the following exclusionary conditions:
 - a. transfer to another public school district, private school, home school, or state- or district-approved education program;
 - b. temporary school-recognized absence due to suspension or illness; or
 - c. death.
- 6.1.h. Dropout Date – The school day after the dropout's last day of attendance.
- 6.1.i. Enrollment - A student is officially enrolled when one of the following conditions occur:

- 6.1.i.a. student was enrolled the previous year;
- 6.1.i.b. student appears at school to enroll with or without a parent/guardian; or
- 6.1.i.c. student and/or parent/guardian appear(s) at school to enroll with or without records.

6.1.j. Enrollment Count - A status count that reports the number of students on the attendance register as required by the West Virginia Department of Education (hereinafter WVDE).

7. Excused Student Absences – Excused Student Absences include:

7.1. Absences that result from school-approved curricular/co-curricular /extra-curricular activities; failure of the bus to run/hazardous conditions, Student Assistance Team (SAT) Plan, Improvement Education Program (IEP) or Section 504 Plan and other county board approved excused absences.

7.2. Personal illness or injury of the student.

7.3. Personal illness or injury of the student’s parent, guardian, custodian, or family member, provided, that the excuse must provide a reasonable explanation for why the student’s absence was necessary and caused by the illness or injury in the family.

7.4. Medical or dental appointment with written excuse from physician or dentist.

7.5. Documented chronic medical conditions that may require multiple or regular absences. These conditions must be documented annually with a valid physician’s note that explains the condition and anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP, or 504 team (See §126-81-5.3.c.4.).

7.6 Participation in homebound or hospital instruction due to an illness or injury or other extraordinary circumstances that warrants home or hospital confinement.

7.7. Documented disabilities consisting of any mental or physical impairment that substantially limit one or more major life activities and are documented annually with a valid physician’s noted that explains the disability and the anticipated impact on attendance. The necessity for the absences must be approved and reviewed quarterly by the SAT, IEP, or 504 team (See §126-81-5.3.c.4.).

7.8. Calamity, such as fire or flood.

7.9. Death in the family.

7.10. Judicial obligation or court appearance involving the student.

7.11. Military requirements for student enlisted or enlisting in the military.

7.12. Personal or academic circumstances approved by the principal up to five (5) days per semester.

7.13 Leaves of Educational Value adhering to these stipulations:

- Prior approval of school administrator (a minimum of forty-eight hours prior to the absence).
- Prior submission and approval of education plan detailing and activities.

- Leave not to exceed ten days and verification implementation of the education plan upon student's return, or
- Leave to extend more than ten days requires county board approval. Parents should be warned that extended leave is not a wise practice and could be detrimental to the student's academic achievement. Furthermore, no teacher will be required to provide free tutoring for the student.

Such other situations as may be further determined by the county board:

Provided, that absences of students with disabilities shall be in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the federal and state regulations adopted in compliance therewith.

8. Documentation Required for Excused Absences

When returning from school after an absence, all documentation relating to absences shall be provided to the school no later than three instructional days after the first day the student returns to school. The documentation should include a note from the student's parent, guardian or custodian, the reason for the absence, and a valid signature of the parent/guardian, physician, dentist, or self if an adult student.

- West Virginia Code §18-8-4 Jefferson County School's excused absences are include:
 - * Personal illness or injury of the student, illness of student must be verified in writing or by email (but no telephone calls) by custodial parent/guardian, adult student or emancipated minor not to exceed 5 days per semester. The reviewing administrator may require documentation by a physician if absences exceed three consecutive days.
 - * Personal illness or injury of the student's parent, guardian, custodian, family member; *provided*, that the excuse must provide a reasonable explanation for why the student's absence was necessary and caused by the illness or injury in the family; *Provided, however*, that the principal may request additional documentation including , but not limited to, a statement from a medical, osteopathic or chiropractic physician, physician's assistant, or nurse practitioner confirming the existence of the family member's illness or injury;
 - * Medical and/or dental appointment which cannot be scheduled outside the school day when the absence is verified, in writing, by the physician or dentist;
 - * Chronic medical condition or disability that impacts attendance;
 - * Participation in home or hospital instruction due to an illness or injury or other extraordinary circumstance that warrants home or hospital confinement;
 - * Calamity such as fire or flood;
 - * Judicial obligation or court appearance involving the student with verification;
 - * Military requirements for student enlisted or enlisting in the military;
 - * Death in the family is limited to three days for each occurrence except in extraordinary circumstances;
 - * School approved extracurricular activities;

- * Observance of religious holidays;
- * Personal or academic circumstances approved by the principal up to five (5) days per semester.
- * Leaves of Educational Value adhering to these stipulations:

- Prior approval of school administrator (a minimum of forty-eight hours prior to absence).
- Prior submission and approval of education plan detailing objective and activities.
- Leave not to exceed ten days and verification of implementation of the education plan upon student's return, or
- Leave to extend more than ten days requires county board approval. Parents should be warned that extended leave is not a wise practice and could be detrimental to the student's academic achievement. Furthermore, no teacher will be required to provide free tutoring for the student.

9. Unexcused Absences - shall be any absence not specifically included in the definition of "excused absence."

10. Homeless Children and Youths - as defined in the McKinney-Vento Act means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- A. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- B. children and youths who 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;
- C. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- D. migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.

10.1. Under McKinney-Vento Act, children in a homeless situation have the right to:

- Go to school, no matter where they live or how long they have lived there;
- Attend either the local school or the school of origin, if this is in their best interest; the school of origin is the school the child attended when he/she was permanently housed or the school in which the child was last enrolled;
- Receive transportation to and from the school of origin;
- Enroll in school immediately, even if missing records and documents normally required for enrollment such as a birth certificate, proof of residence, previous school records, or immunization/medical records;
- Enroll, attend classes, and participate fully in all school activities while the school arranges for the transfer of records;

- Have access to the same programs and services that are available to all other students including transportation and supplemental educational services;
- Attend school with children not experiencing homelessness; segregation based on the student's status as homeless is prohibited.

10.2. Membership Days - The days present plus the days absent.

10.3. Transfer - A process by which a student ends enrollment or attendance in one location and begins enrollment or attendance in a second location (e.g., within a county, between counties, or out-of-state). This can be evidenced through a transcript request or other documentation that the student is continuing elementary or secondary education.

11. §126-81-5. Responsibility

Each county board of education shall:

- 11.1. employ a certified county director of school attendance as required by W. Va. Code §18-8-3.
- 11.2. support and require the county attendance director to implement and execute the duties as defined in W. Va. Code §18-8-4:
 - a. The county attendance director and his/her assistants shall diligently promote regular school attendance. They shall ascertain reasons for unexcused absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age birthday and take such steps as are, in their discretion, best calculated to encourage the attendance of students and to impart upon the parents and guardians the importance of attendance and the seriousness of failing to attend school regularly.
 - b. In the case of three (3) total unexcused absences of a child during the school year, the attendance director or his/her assistant may serve written notice to the parent, guardian, or custodian of the student that the attendance of the student at school is required, and that if the student has five (5) unexcused absences, a conference with the principal or other designated representation will be required.
 - c. In the case of five (5) unexcused absences, the attendance director or assistant shall serve written notice to the parent, guardian, or custodian of the student that within five (5) days of receipt of the notice the parent, guardian, or custodian, accompanied by the student, shall report in person to the school the student attends for a conference with the principal or administrative head or other chief administrator of the school in order to discuss and correct the circumstances causing the unexcused absences of the student, including the adjustment of unexcused absences based upon such meeting.
 - d. In the case of ten (10) total unexcused absences of a student during the school year, the attendance director or assistant may make complaint against the parent, guardian, or custodian before a magistrate or the county. If it appears from the complaint that there is a probable cause to believe that an offense has been committed and that the accused has committed it, a summons or a warrant for the arrest of the accused shall

be issued to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one parent, guardian or custodian may be charged in a complaint. Initial service of the summons or warrant issued pursuant to the provisions of W. Va. Code §18-8-4 shall be attempted within ten (10) calendar days of the receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.

- e. When calculating unexcused absences for the purpose of making complaints against a parent, guardian, or custodian before a magistrate, unexcused absences resulting from suspensions or expulsions from school shall not be considered.
- f. The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in section eight (8), article one (1), chapter fifty (50) of this code (§50-1-8), shall assign the case to a magistrate within ten (10) days of execution of the summons or warrant. The hearing shall be held within twenty (20) days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least ten (10) days' advance notice of the date, time and place of the hearing.
- g. When any doubt exists as to the age of the student absent from school, the attendance director has authority to require a properly attested birth certificate or an affidavit from the parent, guardian, or custodian of the student, stating age of the student. In the performance of his or her duties, the county attendance director has authority to take without warrant any student absent from school in violation of the provisions of this article and to place the student in the school in which he or she is or should be enrolled.

- 11.3. Each parent, guardian, or custodian shall be responsible for fully cooperating in and completing the enrollment process by providing: immunization documentation (W. Va. Code §16-3-4), copy of a certified birth certificate or affidavit (W. Va. Code §18-2-5c), signed suspension and expulsion document (W. Va. Code §18-5-15), and any other documents required by federal, state, and/or local policies or code.

13. §126-81-7. School attendance as condition of licensing for privilege of operation of motor vehicle

Rationale

13.1. The West Virginia Board of Education (hereinafter WVBE) and the Jefferson County Board of Education recognizes that driving a vehicle is a privilege and that West Virginia Code requires young people at least fifteen but less than eighteen years of age to maintain specified driver eligibility requirements related to school attendance, personal behavior and academic progress in order to obtain and maintain a West Virginia license or instruction permit for the operation of a motor vehicle. While the West Virginia Department of Motor Vehicles (hereinafter WVDMV) has the authority to deny and suspend a license or instruction permit for the operation of a motor vehicle, the West Virginia Code places certain responsibilities on school administrators to identify students who do not meet any or all of the driver eligibility requirements and communicate this information to the WVDMV. The identification of students not meeting the driver eligibility requirements must be done using uniform measures across all of the fifty-five county school districts; the definitions provided in this policy have been designed to assure consistent application of driver eligibility throughout West Virginia.

13.2. Definitions

13.2a. Circumstances outside the Control of the Student – shall include, but not be limited to, medical reasons, familial responsibilities and the necessity of supporting oneself or another. Suspension or expulsion from school or imprisonment in a jail or a West Virginia correctional facility is not a circumstance beyond the control of the student, and for purposes of this policy, shall be considered an unexcused absence.

13.2b. Driver’s Eligibility Certificate – documentation provided by the county to the student verifying that the student has met the attendance, behavioral and academic expectations set forth by W. Va. Code §18-8-11 that are required to obtain a license or instruction permit to drive a motor vehicle.

13.2c. Satisfactory Academic Progress – attaining and maintaining grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier (beginning with the completed 2008-09 school year).

13.2.c.1. This would calculate in the minimum annual earning of five credits to allow graduation in five years based on the graduation requirements set forth in §126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs.

13.2.c.2. Three of the five credits earned annually must be from the core requirements identified in W. Va. §126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs.

13.3. Withdrawal – for the purpose of driver’s license eligibility, withdrawal is defined as the following reasons for which the county shall deny or revoke a Driver’s Eligibility Certificate from any student at least fifteen but less than eighteen years of age:

13.3.a. More than ten consecutive or fifteen total days unexcused absences during a school year.

13.3.b. Suspension pursuant to W. Va. Code §18A-5-1a and §18A-5-1b which include the following behaviors when committed on the premises of an educational facility, at a school-sponsored function, or on a school bus:

- a. assault and/or battery on school employees,
- b. possessing deadly weapons,
- c. sale of a narcotic drug,
- d. committing an act or engaging in conduct that would constitute a felony under West Virginia Code if committed by an adult, and/or
- e. unlawfully possessing a control substance governed by the uniform controlled substances act as described in W. Va. Code §60A-1.1 et seq.

13.4. Responsibility

13.4.1. The WVBE has the responsibility to encourage daily attendance and appropriate student conduct, to set academic graduation requirements for public schools and to mandate that county school systems collect and report student performance data regarding these student behaviors.

13.4.2. The WVBE has the responsibility for defining Driver's Eligibility Certificate criteria in uniform quantifiable measures to assure that the process is applied equally to all students ages fifteen to eighteen who are enrolled in West Virginia public schools.

13.5. The Jefferson County Board of Education shall:

13.5.1. support and require the county attendance director and all school administrators to implement and execute the duties defined in W. Va. §126CSR81, WVBE Policy 4110: Attendance.

13.5.2. incorporate the appropriate components of this rule into existing county attendance, expected behaviors and academic requirement policies respectively.

13.5.3. support and require the county attendance director and all school administrators to implement and execute the following duties defined in W. Va. Code §18-8-11. Regarding driver's eligibility for a license or instruction permit to operate a motor vehicle:

- a. provide, upon request, a Driver's Eligibility Certificate on a form (hard-copy or electronic) approved by West Virginia Department of Education (hereinafter WVDE) to any student at least fifteen but less than eighteen years of age who is in satisfactory standing with regard to attendance, behavior and academic progress in a school under the jurisdiction of the official for presentation to the WVDMV on application for or reinstatement of an instruction permit or license to operate a motor vehicle.
- b. provide notification to the WVDMV whenever a student at least fifteen but less than eighteen years of age withdraws from school, is suspended pursuant to W. Va. Code §18A-5-1a and §18A-5-1b and/or fails to maintain satisfactory academic progress, except when the withdrawal or failure to make satisfactory academic progress is due to circumstances outside the control of the student. Notification must be provided to the WVDMV no later than five days from the date of the withdrawal and/or suspension. Notification must be provided to the WVDMV no later than five days from the end of the school year for failure to maintain satisfactory academic progress.

- c. provide the opportunity, upon request, for a student who has been denied a Driver's Eligibility Certificate or has received a revocation notice, to have a hearing before the county superintendent of schools or his/her designee concerning whether the student's withdrawal from school or failure to make satisfactory academic progress was due to a circumstance or circumstances beyond the control of the student. The county superintendent, with the assistance of appropriate staff, shall be the sole judge of whether any of the grounds for denial or suspension of a license or instruction permit are due to a circumstance or circumstances beyond the control of the student.

13.6. Provide a review process that allows students to have their Driver's Eligibility Certificate reinstated upon demonstration of satisfactory progress as follows:

- a. reinstatement requests related to withdrawal for unexcused absences shall be reviewed, as outlined in W.Va. §126CSR81, WVBE Policy 4110: Attendance, at the end of the semester following that in which the withdrawal occurred.
- b. reinstatement requests related to failure to make satisfactory academic progress shall be reviewed at the end of each school year for the purpose of reinstating the Driver's Eligibility Certificate.
- c. reinstatement requests related to withdrawal for suspension pursuant to W. Va. Code §18A-5-1a and §18A-5-1b shall be reviewed after all disciplinary sentences have been served for the purpose of reinstating the Driver's Eligibility Certificate.

28. Computer/Internet – Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy

1. Introduction and Purpose

All users, including students, teachers, administrators, staff, substitute personnel, and educational organizations are governed by this policy and are expected to be familiar with its provisions. A signed consent form (found at the end of this policy) must be appropriately signed and filed at each users' location in order to utilize the district's electronic resources, technologies, and the internet.

This document formalizes the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy for users of Jefferson County Schools' network and access to the Internet via West Virginia Network for Educational Telecomputing (WVNET). The purpose of this policy is to assure all users a safe digital environment, outlining consequences that align with federal/state laws, state, district, and school policies especially Effective Behavior in Safe and Supportive Schools as well as to meet Federal Communications Commission (FCC) guidelines and e-rate audits.

The Internet is a virtual world connecting millions of computers all over the world and millions of individual subscribers. Access to the Internet will provide students and educators with:

- electronic communication,
- information and news services,
- public domain and shareware software of all types,
- discussion groups on a variety of subjects, and
- connections to many libraries, companies, agencies, and businesses.

With connections to computers and people all over the world comes the availability of materials that may not be considered to be of appropriate educational value. On a global network, it is impossible to completely restrict access to controversial materials. It is the responsibility of the student, parent, teacher and administrator to ensure that access to telecommunication networks and computers provided by the school system is not abused and that all users treat one another with respect.

Jefferson County Schools at the school level will provide instruction for educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response. This curriculum is provided by the West Virginia Department of Education (WVDE). Instructional information regarding the WVDE method and curriculum content can be found at <http://wvde.state.wv.us/technology/cipa-compliance.php>. This WVDE method will provide documentation that districts have met the annual E-rate compliance requirements of educating students regarding appropriate use.

2. Privileges and Background

The use of the Internet as part of an educational program is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Based upon acceptable use of guidelines outlined in this document, the West Virginia

Department of Education (WVDE) and WVNET system administrators and Jefferson County Schools will deem what is inappropriate use, and their decision is final. Also, system administrators and/or local teachers/administrators may deny user access at any time, as necessary. Users must be in compliance with the rules and regulations of West Virginia Board of Education Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet (<http://wvde.state.wv.us/policies/p2460.html>).

Students and staff are expected to use state, district, and school-owned technology in a responsible, efficient, ethical, and legal manner in accordance with the educational mission of the state, district, and school. The use of such technologies may be restricted or revoked for inappropriate behavior or use.

Transmission of any material in violation of any U.S. or state law regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secrets. Use for commercial activities by for-profit institutes is generally not acceptable. Use for product advertisement or political lobbying is also prohibited. Illegal activities are strictly prohibited.

Downloading, copying, duplicating and distributing music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. Moreover, installing unapproved software is also prohibited. However, the duplication and distribution of materials for educational purposes are permitted if and when such duplication and distribution fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, United States Code <http://copyright.gov/title17>) and content is cited appropriately.

3. Security

Users must not use another user's account or give their passwords to others. Attempts to fraudulently log into any system as a system administrator will result in cancellation of user privileges and may result in other disciplinary action. Users who identify a potential problem (virus, hacking, etc.) on the system must notify a system administrator. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.

WVDE and Jefferson County Schools provide electronic filtering. Providing this service at the state level enables districts/schools to meet the Children's Internet Protection Act (CIPA) and E-Rate guideline requirements for filtering. However, no system can totally filter unacceptable materials. Users assume responsibility for responsible use of the Internet and self-monitoring of materials accessed.

Any attempts to defeat or bypass the state's Internet filter or conceal Internet activity are prohibited. This includes, but is not limited to, proxies, https, special ports, modifications to state browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content.

4. Parental Consent

Students must have written parental consent (Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Form) to use this system. A parent may rescind his/her consent in writing at any time, subsequently terminating the student's use of this service.

5. Acceptable Use and Behavior

The purpose of the Internet and school network is to support research and education in and among academic institutions in the U.S. by providing access to unique resources and the opportunity for collaborative work.

Jefferson County Schools retains the right to inspect any user's physical/virtual drive and the files it contains. Use of the Jefferson County Schools' technology resources constitutes consent for the Jefferson County staff to monitor and/or inspect any files that users create, any messages they post or receive, and any web sites accessed. Therefore, users should have no expectation of privacy; and Jefferson County Schools reserves the right to monitor, inspect, investigate, copy, review and store, without prior notice, information about the content and usage of:

- Network and system files;
 - User files and disk space utilization;
 - User applications and bandwidth utilization;
 - User document files, folders and electronic communications;
 - E-mail;
 - Internet access; and
 - Any and all information transmitted or received in connection with networks, e-mail use and web-based tools.
- A. The use of the Internet must be in support of education and consistent with the educational objectives of the West Virginia Board of Education. Use of other networks or computing resources must comply with the rules appropriate for that network.
- B. Users must also be in compliance with the rules and regulations of West Virginia Policy 2460: Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and Internet Policy.
- C. Treat others on the Internet the way you would treat people in person. Jefferson County Schools will not tolerate cyber bullying (see Jefferson County policy Expected Behavior in Safe and Supportive Schools). Users will not be permitted to send and/or post abusive messages to others. If a student bullies another person while using the Jefferson County Schools' Internet or other networks, the educators in the district have the right to discontinue his/her use of the system and/or to impose further disciplinary action up to and including suspension or expulsion.
- D. Proper codes of conduct in electronic communication must be used. Giving out personal information is inappropriate. When using email, extreme caution must always be taken in revealing any information of a personal nature. Emails other than K12 accounts or LiveGrades accounts should not be used at school.
- E. **K12 Email:** WVDE can monitor the email accounts issued to the “k12.wv.us” server, which is administered by the WVDE. Non-“k12.wv.us” e-mail accounts should not be used for school/educational

purposes. All liability for any non-“k12.wv.us” email accounts lies with the administrator(s) and/or educator(s) responsible for student utilization of alternative accounts or the administrator(s) and/or educator(s) identified as responsible for the server being used. In order to be issued a “k12.wv.us” email account, users will be required to receive training on appropriate email use. Contact your teacher or school “k12.wv.us” email contact for more information.

- F. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.
- G. Exhibit exemplary behavior on the network as a representative of your school and community. Use appropriate language.
- H. Comply with fair-use laws and other copyright regulations while accessing and utilizing the Internet and other network materials and resources.

6. User Responsibilities

It is the responsibility of any person using Jefferson County Schools’ network or Internet to read, understand, and follow these guidelines.

A. Student Responsibilities

The use of telecommunications and/or access to the Internet is an extension of the students' responsibility in the classroom and must follow all federal and state laws as well as state and local policies.

- B. Cyber bullying (see Jefferson County policy Expected Behavior in Safe and Supportive Schools) will not be tolerated. Educators will instruct students about responsible behavior, and students will assume responsibility for Internet and network use that demonstrates respect for themselves and others.

- C. It is the responsibility of students who are using Jefferson County network devices to learn about safe and responsible use of the Internet and network. They are responsible to use these resources appropriately. They must abide by the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy as stated in this document. Students will not use information containing unethical, illegal, immoral, inappropriate, or abusive language. If a student is misusing the system, administrators in the district have the right to discontinue his/her use of the system and/or to impose further disciplinary action up to and including suspension or expulsion. Furthermore, restitution will be pursued in cases in which damage of hardware/software/infrastructure has occurred.

D. Educator Responsibilities

It is the responsibility of educators who are using Jefferson County network devices with students to teach students about safe and responsible use of the Internet and network. Educators are responsible for monitoring students' use of these resources, and to intervene if students are using them inappropriately. Educators should make sure that students understand and abide by the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy as stated in this document. If an educator has reason to believe that a student is misusing

the system, it is the responsibility of the teacher to report any misuse of the system to his/her administrator.

- E. Collaboration, resource sharing, and student/teacher, student/student, and teacher/parent dialogue can all be facilitated by the use of social media and other electronic communication. Such interactivity outside of the school walls can greatly enhance face-to-face classes. However, it is imperative that a clear line be drawn between personal social networking and professional/educational networking to protect the safety of the students and the integrity of educational professionals and service staff.
- F. In order to assist educators in maintaining a professional relationship with students and to avoid situations that could lead to inappropriate relationships between school personnel and students, the following regulations apply to all school personnel. Failure to adhere to these regulations may result in disciplinary action and/or loss of licensure:
- School personnel will maintain a professional relationship with all school students, both inside and outside the classroom and while using any form of social media and other electronic communication. Unethical conduct includes but is not limited to committing any act of harassment as defined by district policy; committing or soliciting any sexual act from any minor or any student regardless of age; soliciting, encouraging, or consummating a romantic or inappropriate relationship with a student, regardless of the age of the student; using inappropriate language including, but not limited to, swearing and improper sexual comments; taking inappropriate pictures (digital, photographic or video) of students or exchanging any inappropriate pictures with students; or engaging in any other behavior that constitutes a violation of county policy or that is detrimental to the health and welfare of students.
 - The viewing, storing, transmission or downloading of pornography or sexually suggestive or sexually explicit material or text on a work computer or other electronic storage or communication device, whether at home or at work, by school personnel or anyone else to whom the school personnel has made the computer or other electronic storage or communication device available, is prohibited. This same prohibition applies to a personal computer or other electronic storage or communication device while at school or a school activity.
 - All information stored within work computers or servers is the property of the state, county or school, and the personnel using such computers/servers/networks have no expectation of privacy with respect to its contents.

School personnel who receive information via any electronic resource, including a social networking site that falls under the mandatory reporting requirements of

W. Va. Code § 49-2-803, must report as indicated in W. Va. Code.

Under federal law, employees violating the copyright laws may be subject to fines, confiscation of material, and other prosecution. Violations may also result in the employee's suspension and/or dismissal for insubordination under W. Va. Code §18A-2-8.

School personnel are responsible for protecting their passwords associated with their computers and e-mail address and must not make them accessible to others.

The WVDE's administrative information systems, including the West Virginia Education Information System (WVEIS), are to be used exclusively for the business of the respective state, district (county) and school organizations. All information system data are records of the respective organizations. The WVDE reserves the right to access and disclose all data sent over its information systems for any purposes. All staff must maintain the confidentiality of student data in accordance with The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99).

For reasons of privacy, employees may not attempt to gain access to another employee's files in the WVDE's information systems. However, the WVDE reserves the right to enter an employee's information system files whenever there is a business need to do so.

7. County/School Website Publication

Parental consent for the use of student names and/or photographs can be obtained in the Parent/Student handbook "Publication of Student Pictures" section. Under no conditions can a student's home address, home phone number, or other personal information be used on a web site.

8. Passwords

When passwords are provided, each user shall be required to use and maintain the passwords that were created according to Jefferson County Schools' guidelines. This password is to be used to access the Jefferson County Schools computer network and any resources that reside within the network and require password access. The user must take precautions to maintain the secrecy of his/her password so that other users will not be able to utilize that password for malicious purposes. If a user suspects that someone has discovered the user's password, the user should contact school authorities immediately. Users will be held accountable for all activity that takes place under their passwords.

9. Network Policies and Miscellaneous Technology Use

A. Off-site Use of County

Property District/school equipment that is used off site is subject to the same rules as when used on site.

B. Prohibitions on Camera/Audio Recording

Camera or audio recording functions of electronic devices may pose threats to the personal privacy of individuals, be used to exploit personal information, and or compromise the integrity of educational programs. Accordingly, the use of the audio recording

or camera functions of electronic devices is strictly prohibited on school premises at all times.

Exceptions: With prior approval of the principal, the above prohibitions may be relaxed under the following circumstances:

- the use is specifically required to implement a student's current and valid IEP;
- the use is at the direction of a teacher for educational purposes;
- the use is determined by the principal to be necessary for other special circumstances, health-related reasons, or emergency.

C. Personal Technology Devices

1. Students

Students are encouraged to use district and school equipment whenever possible. Unauthorized or unacceptable use of personal technology devices by students may result in suspension or revocation of personal device privileges. These uses include, but are not limited to, the following:

- Using personal devices to gain or give an advantage in a testing situation.
- Using personal devices during class that are not approved by the school or the individual teacher (e.g. cell phones, smart phones, tablets, digital cameras, MP3 players, and laptops).
- Downloading and installing district licensed software on personal devices unless specifically allowed by the licensing agreement.
- Using personal devices to bypass filtering, circumvent network security, or in violation of the acceptable use standards which normally apply to district-owned technology.
- Using personal devices for violations related to cyber bullying and harassment.

2. Teachers/Administrators/Staff

Teachers and administrators with laptops may access the school network system if it is approved by the county technology department, and they sign a laptop agreement and agree to abide by the terms set forth in said agreement. Teachers/ Administrators accessing the county's network with their personal laptops agree to allow the county to set up their computers, to use the county's antivirus system, to update and run antivirus daily (prior to system use), and to abide by all elements of Jefferson County's Educational

Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy.

3. Vendors and Other School Visitors

Vendors and other school visitors who wish to use laptops on while in the school environment must seek permission from the administration or the county technology department PRIOR to visiting the school or county office. These users also agree to abide by Jefferson County's Technology Policy.

10. Violations/Sanctions

Failure to observe these guidelines may subject users to termination of their Jefferson County Schools' accounts and/or Internet and network access privileges. Failure to observe guidelines may also result in disciplinary action that may include suspension, expulsion, or job termination. Jefferson County Schools will also advise law enforcement agencies of illegal activities conducted through Jefferson County Schools' resources and will cooperate fully with local, state, and/or federal officials in any investigation related to illegal activities conducted through Jefferson County Schools' resources.

11. Disclaimers/Conclusions

- A. Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), notice is hereby given that there are no facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
- B. WVDE, WVNET and Jefferson County Schools will not be responsible for any damages you may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by your own negligence or your errors or omissions. Use of any information obtained is at your own risk.
- C. WVDE, WVNET and Jefferson County Schools make no warranties (expressed or implied) with regard to any costs or charges incurred as a result of seeing or accepting any information and any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.
- D. WVDE, WVNET, and Jefferson County Schools deny any responsibility for the accuracy or quality of information obtained through the system.
- E. All provisions of this agreement are subordinate to local, state and federal statutes.
- F. This policy is in compliance with state and federal telecommunications rules and regulations.

Parental Consent Form for the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet

The following form must be read and signed by you and your child.

We have read the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet Policy. We understand that access to the Jefferson County Schools' network and access to the Internet via West Virginia Network for Educational Telecomputing (WVNET) is for only educational purposes; failure to observe the policy may subject users to termination of their Jefferson County Schools' accounts and/or Internet and network access privileges. Failure to observe policy may also result in disciplinary action that may include suspension, or expulsion. Jefferson County Schools will also advise law enforcement agencies of illegal activities conducted through Jefferson County Schools' resources and will cooperate fully with local, state, and/or federal officials in any investigation related to illegal activities conducted through Jefferson County Schools' resources.

We further agree to abide by the rules contained within State Policy 2460 and our school's policy on Internet/Telecommunication.

Student Name (please print) _____ Student Signature _____

Parent or Guardian (please print) _____

Parent or Guardian Signature _____ Date _____

School Name _____

----- For Office Use Only -----

Training - Date Completed _____

Trainer's Initials _____

5.2 Grading and Achievement

Every student in every classroom should know what is being expected of him/her. Each course of study contains a basic core or minimal set of skills and information which is essential for successful transition to the next level of the course and which represents a reasonable degree of proficiency. These minimum skills are content standards and objectives. Levels of performance are always a reflection of the student's ability and not used as a punitive measure.

5.2.1 Grading/Reporting for Primary Grades 1 and 2

Grading scale for library, physical education, art, and music:

O	=	Outstanding
S	=	Satisfactory progress and performance (May include "+" or "-" notation for "S" grades only.) ("S+" shows strong progress and performance and "S-" shows progress but lacks of consistency)
U	=	Unsatisfactory progress and performance

Levels of performance for grades one and two:

- Above Standards (A) – The student consistently demonstrates a deep understanding of the skills.
- At Standard (S) – The student demonstrates a proficient understanding of the skills and meets the grade level goal.
- An "S" indicates that a student has met the benchmarks for a learning target at the time of reporting. In a standard-based reporting system, "S" is the expectation for students and represents a high level of knowledge.
- Developing (D) – The student is advancing forward, but has not mastered the grade level goal.
- Emerging (E) – The student is beginning to show an understanding of the skills
- Not assessed at this time – (/). Standards are not assessed during this quarter.

Indicators of Effort:

- 4 – The student participates in classroom activities/discussions and goes beyond the requirements while taking initiative to be responsible for his/her own learning.
- 3 – The student participates in classroom activities/discussions as well as completes assigned tasks independently, promptly, and efficiently.
- 2 – The student participates in classroom activities/discussions with occasional prompts, reminders, and support as well as additional time to complete tasks.
- 1 – The student participates in classroom activities/discussions with many prompts, reminders, and support as well as additional time to complete tasks.
- 0 – The student rarely participates in classroom activities/discussions and only completes task when total support is provided.

Teachers of grades one and two should assess and document each student's independent levels of performance based upon West Virginia Content Standards and Objectives (CSO's). Social studies, science, and health will be integrated in the core subjects.

Grades one and two will issue progress reports four times per school term at nine-week intervals.

In grades one and two, a grade O, S, or U will be assigned for the following subjects: art, music, physical education, and library. In all subject areas, instruction and practice in writing is required in each marking period.

5.2.2 Grades 3, 4 and 5 Grading/Reporting

In grades three through five, a grade of O, S, N, or U will be assigned for the following subjects: art, music, physical education and library. In addition, intermediate teachers will use this grading scale to communicate students' effort, work habits, behavior, citizenship and other non-academic measures.

Grading scale for library, physical education, art, and music:

O	=	Outstanding
S	=	Satisfactory progress and performance (May include "+" or "-" notation for "S" grades only.) ("S+" shows strong progress and performance and "S-" shows progress but lacks of consistency)
N	=	Needs improvement
U	=	Unsatisfactory progress and performance

Grading scale for grades three through five:

A	=	90 – 100
B	=	80 – 89
C	=	70 – 79
D	=	60 – 69
F	=	0 – 59

At the beginning of a school year, each school's grade level teams will establish grading procedures that reflect students' progression of learning. The grading procedures shall provide authentic evidence documenting student progress toward mastery of West Virginia Board of Education approved content standards and objectives.

Teachers of grades three through five shall document students' progress according to academic performance. Intermediate teachers shall utilize the Jefferson County Schools electronic grade book to communicate students' progress. For each grading period, the report-card grade in English language arts shall comprise a minimum of nine grades per nine weeks. Science and social studies shall consist of a minimum seven grades per nine weeks. Assessments recorded as grades in the electronic grade book shall be specified so that they reflect the content standards and objectives. In all core subject areas, instruction, practice, and assessment in writing are required each grading period.

A separate health grade will be reported for each nine-week grading period and will consist of a minimum of four grades.

Intermediate report-card grades are to indicate the degree of mastery of learning outcomes based on the West Virginia Content Standards and Objectives (CSOs) and the 21st Century Learning Skills and Technology Tools. Non-academic variables such as effort, behavior, attitude, and work habits shall not adversely affect students' grades. Non-academic indicators shall be documented separately from students' academic learning and performance records. The primary purpose of intermediate report-card grades is to communicate the mastery of students' understanding of established learning standards and objectives.

It is the expectation that, within one week of students' completing assessments, teachers in grades three through five will enter grades in the Jefferson County Schools electronic grade book. A minimum of one grade per week is to be entered in the district's electronic grade book for English language arts and math.

Intermediate teachers shall use a variety of assessments to determine report-card grades that reflect proficiency related to content knowledge and skills. Assessments may be standard, non-standard, performance assessments or portfolios, observation performance data, achievement checklists, rubrics, teacher-made and other tests that are at the discretion of and use by classroom teachers. (WVBE Policy 2510, Section 10.1.a)

Such assessments and evidence must be included in the teachers' explanations of grading procedures. The school principal must approve the grading method and place a copy on file in the school office. Students must know in advance the grading procedures and evaluations used by their teachers. In addition, all parents will be provided a copy of the teacher's grading procedures at the beginning of the school year.

All eligible students with disabilities under WVBE Policy 2419 or Section 504 will be assessed if necessary with the appropriate accommodations and/or with modifications as determined by their IEP Teams or Section 504 Committees or LEP Committees. (WVBE Policy 2510, Section 10.2)

Grades three through five report cards will be issued four times per school year at nine-week intervals.

5.2.3 Middle School – Grades 6, 7, and 8

Each teacher may evaluate students using his/her own method with such method adhering to the content standards of the course. The method of deriving percent grades must be included in the teacher's explanation of grading procedures. The school principal must approve this grading method with a copy on file in the school office. The student must know in advance of the grading procedures and evaluations used by his/her individual teachers. In addition, each parent will be provided a copy as the student begins the class. Teachers should have a copy signed by the parent and returned to the school.

Jefferson County Schools' expectation is that each teacher will enter a minimum of 1 grade per full academic week in the electronic grade book. Nine or more grades must be given each nine weeks, and these grades must be averaged to determine the nine-weeks grade. Nine-weeks tests are optional. However, if a nine-weeks test is not given, at least one unit test must be given and explained in the teacher's grading method approved by the principal. A copy of the nine-weeks test or unit test shall be provided to the school principal. This plan must contain an explanation of the weight assigned to the nine-weeks test. At least two summative assessments, i.e., projects, unit tests, or chapter tests, shall be conducted each semester. In all subject areas, instruction and practice in writing is required each marking period (WVDE Policy 2510, 9.6). All concepts tested must have been previously taught, reviewed appropriately, and tested in the manner taught.

Nine-weeks grades must be recorded on the report cards in letter grades with each

letter being assigned a percent value. Both letter and percent must be shown on the report card. Percents must be rounded to the nearest whole percent.

The two nine-weeks percentages must be averaged to give the semester grade. The semester letter grade and its percent must be shown on the report card.

The following scale shall be used in compiling all averages beginning with any course commencing after July 1, 2018 (State Board Policy 2510):

Grading Scale and Quality Points
(§ 126-37-3)

4.0	A	=	90 – 100
3.0	B	=	80 – 89
2.0	C	=	70 – 79
1.0	D	=	60 – 69
0	F	=	0 – 59

Percents must be rounded off to the nearest whole percent.

5.2.4 High School – Grades 9, 10, 11, and 12

Regular evaluation is necessary to ensure that the written and delivered curriculum is having the desired effect for students—all students attaining a reasonable level of proficiency in the prescribed content standard objectives for each course. Curriculum evaluation is an ongoing process of collecting, analyzing, synthesizing, and interpreting information to aid in the understanding of what students know and can do. Student grades will be averaged using the above scale to communicate student achievement. The method of deriving percent grades must be included in the teacher’s explanation of grading procedures and adhere to guidelines as outlined in the Jefferson County Schools’ high school grading policy.

The school principal must approve the teacher’s grading method at the start of each academic semester adhering to the guidelines herein stated. A copy of the teacher’s grading method is to be provided to parents/guardians. Teachers should have a copy signed by the student’s parent/guardian and returned to the school at the beginning of each academic semester.

Electronic grade books will be provided to teachers to communicate current student achievement. Student grades are always a reflection of the student’s performance in relation to the level of mastery of the curriculum taught. Jefferson County Schools’ expectation is that each teacher will enter a minimum of 1 grade per full academic week in the electronic grade book.

The following guidelines apply to all high school course grading practices:

1. At least two summative assessments (i.e., projects, unit tests, chapter tests, portfolios, approved alternate assessments, etc.) shall be given each nine weeks.
2. There will be one cumulative assessment valued at 1/7 of the semester average. This cumulative assessment will be administered near the conclusion of the semester. Prior to administering to students, each teacher must provide to the school based administration for review and approval a copy of this assessment with scoring guidelines.

3. Seniors eligible for graduation may request an exemption from any second semester cumulative assessment if the following criteria are met:
 - a) The senior must have a cumulative second semester average per course of at least 90% 8 days prior to the graduation date.
 - b) The senior's discipline record may not include any out of school suspensions during the second semester.
4. Homework will be 10% of a student's final nine week grade.

Jefferson County Schools is committed to ensuring the success of all students. Equally, we understand that circumstances arise in a student's life that prohibit him/her from functioning at his/her highest caliber. Therefore, to help students understand the obstacle of failure and how to correct mistakes the following re-test guidelines are established.

Re-Test after Failure:

Any student who earns less than 70% on a test can remediate with the teacher and opt to be retested provided the request is made within 5 days of the verbal or written notification of a test grade. The reassessment can be done in a multitude of ways which is determined by the teacher. Retest methods may include, but are not limited to, taking a different test, submitting a project/alternative assignment or a writing sample, conducting formalized test correction procedure, etc. This re-test procedure does not apply to the cumulative assessment. Students are restricted to a single retest of test.

1. Jefferson County Schools has the responsibility to provide an annual notice to students/parents regarding this policy. Individual student access for retest opportunity may be revoked by the administration upon substantiation of abuse.
2. The retest is graded for student feedback; however, the student will receive the higher of the two (original or retest) scores. Regardless of the actual score on the retest, the grade for the test will be capped at 70%.
3. This retest option does not apply to the cumulative assessment.

In all subject areas, instruction and practice in writing is required each marking period (WVDE Policy 2510, 9.6). Nine-weeks grades must be recorded on the report cards in letter grades with each letter being assigned a percent value. Both the letter and percent must be shown on the report card. Percents must be rounded to the nearest whole percent.

- 5.2.5 Elementary, Middle and High School Honor Rolls, High School Ranking and Recognition, and Weighted Grade Policy and Implementation Procedures
 - A. Honor Roll
 1. Elementary Grades: The honor rolls for all Jefferson County elementary schools shall be computed in the following manner:

- A. Students in grades one and two shall be recognized for academic achievement at the classroom level by the classroom teacher.
- B. Honor rolls will be computed for grades three through five each nine weeks.
 - 1. A student who has a grade of "D", "F", or an Incomplete may not be on the honor roll.
 - 2. A student who has received an unsatisfactory grade of "U" in music, art, library, physical education may not be on the honor roll.
 - 3. Using the following computational procedure, a student must have a 3.0 average to be on the honor roll:

COMPUTATION SCALE

4.0	A	=	90 – 100
3.0	B	=	80 – 89
2.0	C	=	70 – 79
1.0	D	=	60 – 69
0	F	=	0 – 59

- 2. Middle School
 - A. No student may be on the honor roll if he/she has a "D" or "F" in any class (semester grade).
 - B. A student must have a 3.0 average to be on the honor roll.

COMPUTATION SCALE

4.0	A	=	90 – 100
3.0	B	=	80 – 89
2.0	C	=	70 – 79
1.0	D	=	60 – 69
0	F	=	0 – 59

- 3. High School
 - A. No student may be on the honor roll if he/she has a "D" or "F" in any class (semester grade).
 - B. A student must have a 3.0 average to be on the honor roll.

- B. High school ranking/recognition, weighted grades, honors, and AP classes shall be computed in the following manner:

COMPUTATION SCALE

Grade		AP & Dual Credit Classes	Honors Classes	Regular Classes
90 – 100	A	5.0	4.5	4.0
80 – 89	B	4.0	3.5	3.0
70 – 79	C	3.0	2.5	2.0
60 – 69	D	2.0	1.5	1.0
0 – 59	F	No Credit	No Credit	No Credit

- C. High School Graduation Ranking/Recognition

All students in a class shall be included in the determining of rank-in-class. However, to be eligible for inclusion in the class ranking, a student must have completed the first semester of his/her senior year at Jefferson High School or Washington High School. Credits earned in classes that count toward high school graduation, except classes evaluated on a pass-fail basis, shall be included when computing class rank and grade point average.

Exact rank shall be computed at the end of the junior year and again at the end of the first semester of the senior year. Class rank shall be determined by grade point average as computed by the West Virginia Education Information System (WVEIS) as it pertains to the Jefferson County Weighted Grade Policy.

Students attaining grade point averages listed below will be recognized as Jefferson Scholars and will be listed in the graduation program per the honor earned.

<u>Honor</u>	<u>GPA</u>
Summa Cum Laude	3.8 and above
Magna Cum Laude	3.4 – 3.7
Cum Laude	3.0 – 3.3

5.2.6 Interims

Interims will be issued to ALL students within three days (plus or minus) of the mid-point of the grading period. Each school will determine the date and notify parents (grades 1 – 12). After interims have been issued, if a student is to receive an “F” average, contact must be made with the parents. Acceptable means of this communication will be e-mail, U.S. mail (including certified), or a phone call. Teachers will maintain a log of evidence of these contacts (grades 1 – 12).

5.2.7 Procedure for Testing Out of a Class

Qualifying Criteria - Student

- A. A student must meet two of the following criteria:
1. An unweighted grade point average of 3.0 or better over the previous four semesters for the subject area requested.
 2. An achievement test percentile of seventy in the subject area requested on the student's most recent achievement test for the subject area requested.
 3. A recommendation from the student's current teacher or most recent teacher for the subject area requested.

Application

- A. A student must make application by in the school year prior to the school year for which the class is required. (SOP 7.18)
- B. Application must be made on a Jefferson County School's official application form.
- C. Application is to be made with the school counselor.

Testing

- A. The test will be based on the Content Standards and Objectives for the class.
- B. A student must score at least eighty percent on the written exam.
- C. The maximum time for completing an examination will be three hours and thirty minutes.

Grading/Credit

- A. The score earned on the comprehensive examination will determine the student's grade per the following scale:

Percent	Letter Grade
80% - 100%	P
0% - 79%	F

A student who passes the test will be granted credit and the grade will not be computed in the student's grade point average. A student who fails the test must take the class to receive credit.

- B. A student may, after taking the comprehensive exam, choose to enroll in the class and choose not to have the grade earned on his/her test entered on his/her permanent record. Should the student choose not to enroll in the course, the grade earned will be recorded on the student's permanent record.

The student may take a test only one time.

Eligible Classes

A student may request to "test out" of the core classes of English, social studies, science, mathematics, and health.

Other

The student will be supplied with a copy of the Content Standards and Objectives and the textbook for classes for which he/she wishes to prepare to test.

5.2.8 Guidelines for Student Credit Recovery

The public schools of Jefferson County recognize the need for multiple means of recovering credit after a student fails a class or classes. Therefore, we provide our students with opportunities to make up failed course credit through several different avenues.

A local school official, generally the school counselor, will facilitate the process of helping a student enroll in the credit recovery program. If warranted an SAT meeting will be convened. These programs are designed to help students succeed academically in a flexible, time efficient manner in order for them to ultimately graduate from high school.

One means of credit recovery is our summer school program. This program is an intensive curriculum that allows a student to recover credits within a specific time frame.

Another method offered to students is a research-based on-line program with curriculum set to state and national standards for various curricula. This content may be offered during the school day, after school, in evening school, or during the summer.

1. Students will only be enrolled in credit recovery classes that they have previously failed unless there are extenuating circumstances that would permit otherwise.
2. Students will receive an "F" for any courses not completed in a semester's time period.
3. Seniors using credit recovery must complete their course work by the senior exam deadline in order to graduate with their class.

Harassment, Intimidation, Bullying and Discrimination Policy

I. General Statement of Policy

Approved 8/16/03

Racial, sexual, disability and/or religious/ethnic harassment is a form of discrimination which violates Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e, et seq., Title IX of the Education Amendments of 1972, 20 U.S.C. §1681, et seq., and West Virginia Code §5-11-1, et seq., the West Virginia Human Rights Act.

It is the policy of the Jefferson County Board of Education that all of its

students and school employees have an educational and work setting that is safe, secure, and free from harassment, intimidation, bullying and discrimination of any kind. Therefore, the purpose of this policy is to prevent all forms of harassment, intimidation, bullying or discrimination, to protect the educational and working environment, to assure the prompt and efficient response to such incidents, and to deter future incidents from occurring. The Jefferson County Board of Education shall not tolerate acts of harassment, intimidation, discrimination or bullying and conduct that constitutes harassment, intimidation, discrimination or bullying, as defined herein, is strictly prohibited.

The Jefferson County Board of Education, herein after referred to as "the Board," prohibits any form of racial, sexual, or religious/ethnic harassment or violence on Board property or at any school-sponsored event, regardless of where such event might occur.

It shall be a violation of this policy for any student, volunteer, outside group or third party using school facilities, or employee of the Board to harass or commit a violent act against a student, any person, or any employee through conduct or communication of a harassing or violent nature as defined by this policy.

The Board will act promptly and confidentially to investigate all harassment and violence complaints, formal or informal, verbal or written, and will take appropriate disciplinary action based upon the results of the investigation.

II. Definitions

- A. Harassment, Intimidation, or bullying means any intentional gesture, or any intentional electronic, written, verbal or physical act, communication transmission or threat that a reasonable person under the circumstances should know will have the effect of:
- A. Harming a student;
 - B. Damaging a student's property;
 - C. Placing a student in reasonable fear of harm to his or her person; or is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or emotionally abusive educational environment for a student.
 - D. Disrupts or interferes with the orderly operation of the school.

Harassment, intimidation or bullying may include but is not limited to:

- Physical contact or threats of physical contact (striking, shoving, kicking, etc.);
- Use of offensive coarse utterance, gesture, display or abusive language to any person;
- Following a person in or about a place;
- Assembling with other students to engage in disorderly conduct;
- or
- Making malicious remarks designed to intimidate, insult,

humiliate, embarrass or in any other manner abuse verbally or in writing any School District Employee, administrator, or student.

- An electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.

B. Sexual Harassment - Sexual harassment means any unwelcome sexual advances, request for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to the conduct or communication is made a term or condition either explicitly or implicitly of obtaining or retaining employment, or of obtaining an education; or
2. Submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, or education; or
3. That conduct or communication has a purpose or effect of substantially or unreasonably interfering with an individual's employment or education; or
4. Creating an intimidating, hostile or offensive educational environment.

Sexual Harassment may include, but is not limited to:

1. Unwelcome verbal or written harassment of a sexual nature or abuse;
2. Unwelcome pressure for sexual activity;
3. Unwelcome sexually motivated or inappropriate patting, pinching, or physical contact;
4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
5. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
6. Unwelcome behavior, verbal or written words or symbols, directed at an individual because of gender;
7. Unwelcome sexual flirtations, advances, or propositions from a member of the same or opposite sex;
8. Verbal abuse of a sexual nature, without regard to whether the verbal abuse specifically refers to sexual characteristics

at whom the verbal abuse is directed;

9. Verbal or written comments about an individual's body;
10. Sexually degrading word(s) or actions used to intimidate, describe an individual or to refer to some aspect of the individual's behavior, appearance, attitude, or conduct;
11. The display, use or dissemination of sexually suggestive gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials and materials displayed by electronic means, sex based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.; or
12. Non-sexual conduct, including words or actions, directed toward a person because of his or her gender that tends to ridicule, criticize, discriminate, or otherwise makes it more difficult for that person to perform his or her job and/or achieve an education.

It is the responsibility of all students and employees to promote and to maintain an environment free of all types of sexual harassment. Any sexual harassment, as defined, when perpetrated on any student, volunteer, third party, or employee by any student, volunteer, third party, or employee will be treated as sexual harassment under this policy.

C. Racial Harassment - Racial harassment consists of physical, verbal, or written conduct relating to an individual's race when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. Otherwise adversely affects an individual's employment or academic opportunities.
4. Racial harassment includes racially degrading word(s) or actions used to intimidate, describe an individual, or refer to some aspect of the individual's behavior, appearance, attitude, or conduct:
5. The display, use, or dissemination of racially motivated gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials displayed by electronic means; and
6. Race-based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.
7. Unwelcome behavior, verbal or written words or symbols,

directed at an individual because of race.

8. Conduct, including word(s) or actions, directed toward a person because of race that tends to distract or otherwise make it more difficult to perform his or her job and/or achieve an education.

It is the responsibility of all students and employees to promote and to maintain an environment free of all types of racial harassment. Any racial harassment, as defined, when perpetrated on any student, volunteer, third party, or employee by any student, volunteer, third party, or employee will be treated as racial harassment under this policy.

- D. Religious/Ethnic Harassment - Religious/ethnic harassment consists of physical, verbal, or written conduct which is related to an individual's religion or ethnic background when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;
3. Otherwise adversely affects an individual's employment or academic opportunities;
4. Religious/ethnic degrading word(s) or actions used to intimidate, describe an individual or refer to some aspect of the individual's behavior, appearance, attitude or conduct;
5. The display, use or dissemination of degrading religious/ethnic suggestive gestures, objects, pictures, and/or jokes by any means including, but not limited to, printed materials and materials displayed by electronic means; and
6. Religious/ethnic-based labeling or stereotyping with respect to mental, physical or other abilities, talents, occupational or life goals, etc.
7. Conduct, including word(s) or actions, directed toward a person because of religion or ethnicity that tends to distract or otherwise make it more difficult to perform his or her job and/or achieve an education.

It is the responsibility of all students and employees to promote and to maintain an environment free of all types of religious/ethnic harassment. Any religious/ethnic harassment, as defined, when perpetrated on any student, volunteer, third party, or employee by any student, will be treated as religious/ethnic harassment under this policy.

- E. Disability Harassment-Disability harassment consists of physical, verbal, or written conduct which is related to an individual's disability when the conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;
3. Otherwise adversely affects an individual's employment or academic opportunities.

Disability harassment includes but is not limited to:

- Use of demeaning language about any type of disability or perceived disability;
- Use of gestures or behaviors that are disrespectful to disabled individuals or groups;
- Ignorance or intolerance regarding persons with disabilities;
- Unwelcome behavior, verbal or written words or symbols directed at an individual because of his or her disability.

It is the responsibility of all students and employees to promote and to maintain an environment free of all types of disability harassment. Any disability harassment, as defined, when perpetrated on any student, volunteer, third party, or employee by any student, will be treated as disability harassment under this policy.

- F. **Sexual Violence** - Sexual violence is a physical act of aggression or force or threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks, or breasts, as well as the clothing covering these areas.

Sexual violence may include, but is not limited to:

1. Touching, patting, grabbing or pinching another person's intimate parts whether that person is of the same sex or the opposite sex;
2. Coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
3. Coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;
4. Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse on another; or
5. Threatening or forcing exposure of intimate apparel or body parts by removal of clothing.

- G. **Racial Violence** - Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.

- H. **Religious/Ethnic Violence** - Religious/ethnic violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion or ethnicity.

- I. **Assault** - Assault is defined as an act done with intent to cause fear in another of intimidated bodily harm or death; or the threat to do bodily harm to another with present ability to carry out the threat.

III. Complaint and Reporting Procedures

- A. In Each School Building. The building principal is the person responsible for receiving oral or written reports of bullying, harassment, intimidation, discrimination, harassment or violence at the building level. All other matters must be recorded to the Chief Human Resources Officer.

All alleged incidents of bullying, harassment, discrimination or violence observed by faculty, staff, or other employees of the Board must be reported to the building principal, the Human Rights Officer, or the Chief Human Resources Officer within twenty-four hours of observing the incident.

Upon receipt of a report of student conduct, the principal, head teacher in the absence of the principal, or designated assistant principal, must notify the Board's Human Rights Officer promptly, and shall commence investigation of the complaint. Upon completing the investigation, and in most cases, no later than ten working days of receiving the complaint, a written report will be forwarded to the Human Rights Officer and to the superintendent.

If the report alleges employee misconduct, the building principal must promptly notify the Human Rights Officer who will initiate, or direct, an investigation of the complaint. Investigations may be conducted by school officials or third parties designated by the superintendent. Within ten working days of receiving the complaint, the investigating party shall provide a written status report to the superintendent.

Revised 10/14/13

Anytime the report is given to the building principal, head teacher in the absence of the principal, or designated assistant principal, verbally, the principal, head teacher in the absence of the principal, or designated assistant principal, shall provide a written report before the close of the next working day. If the building principal is the subject of the complaint or otherwise not impartial, the complaint shall be made directly to the Human Rights Officer.

For school buildings/facilities which do not have a building principal, such as the transportation and maintenance departments, the Director of such building or facility will be the person responsible for receiving oral or written reports of bullying, racial, sexual, disability or religious/ethnic harassment, discrimination or violence. All other provisions of the paragraph above apply to such situations, except that the term "Director" shall be substituted for the term "building principal."

Revised 10/14/13

- B. District-Wide. The Board hereby designates its Title IX Coordinator as the Board's Human Rights Officer to receive reports or complaints of racial, sexual or religious/ethnic harassment or violence from any individual, employee or victim of racial, sexual, disability or religious/ethnic harassment, discrimination or violence and also from the building principals as outlined above. If the complaint involves the Human Rights

Officer, the complaint or report shall be filed directly with the superintendent, who shall then be responsible for the investigation and recommendation described in paragraph IV of this policy. The name of the Human Rights Officer or the Human Rights Officer is not otherwise impartial, including a mailing address and telephone number, shall be conspicuously posted in the office of each school building and in other buildings to which employees of the Board are assigned to work.

- C. Submission of a complaint or report of racial, sexual, disability or religious/ethnic harassment or violence will not affect the future employment, grades, or work assignments of the person who submits the complaint or report.
- D. Use of formal reporting forms is not mandatory; however, when possible, individuals should use forms provided to document a complaint.
- Revised 10/14/13**
- E. Complaints shall be filed within thirty calendar days after any incident alleged to constitute a violation of this policy or they shall be deemed untimely, unless special circumstances exist which justify a later filing.

The Board's investigation of bullying, racial, sexual, disability or religious/ethnic harassment, discrimination or violence complaints will be conducted with maximum effort to protect the confidentiality of all those involved in the complaint or investigative process and to facilitate prompt resolution of the complaint. School officials may, in their discretion, take immediate steps to protect individual privacy and safety pending resolution.

IV. Investigation and Recommendation

The individual(s) designated by this policy to investigate shall upon receipt of a report or complaint alleging bullying, racial, sexual, or religious/ethnic harassment, discrimination or violence, immediately undertake to authorize an investigation. The investigation may be conducted by school officials or by a third party designated by the school officials, if necessary.

Revised 10/14/13

The complainant and the accused are entitled to an adequate, reliable, and impartial investigation. As part of the investigation, the individual(s) investigating the complaint shall be responsible to:

1. Provide the opportunity for participation by the parent/guardian of a minor student at any conference or meeting with a student to present information.
2. Provide an opportunity for the complainant and the accused to present witnesses and other evidence.
3. Take all necessary interim preventative measures reasonably calculated to prevent any other violations prior to the completion of the complaint procedure.
4. Comply with the confidentiality requirements of this policy.

5. Complete individual interviews with the complainant, the accused, and others identified as having knowledge relevant to the incident.
6. Evaluate any other information and materials relevant to the investigation, and consider all information presented by the complainant and the accused.
7. Make every attempt to conduct and complete the investigation as thoroughly and speedily as possibly.
8. Maintain all documentation of a complaint investigation and related corrective action in a secure location.

Revised 10/14/13

The investigating party shall provide a written report of the result of the investigation and a recommendation of discipline within ten working days to the superintendent and to the Human Rights Officer, unless additional time to complete the investigation is required. In that case, the investigator shall report on the status of the investigation to the complainant, the accused, and the Human Rights Officer at the expiration of the ten working day period. Although the district may extend the investigation when necessary, it must provide a prompt and equitable resolution. If the superintendent is the subject of the complaint, the report shall be submitted to the Human Rights Officer and to the President of the Board.

In determining whether alleged conduct constitutes bullying, racial, sexual, disability or religious/ethnic harassment, discrimination or violence, consideration shall be given to the surrounding circumstances, the nature of the conduct involved, relationships between the parties involved, and the context in which the alleged incidents occurred.

V. Confidentiality

Confidentiality of the filing of complaints, the identity of subjects and witnesses of any complaint and of any action taken as a result of such complaints is essential to the effectiveness of this policy. Only those individuals necessary for the investigation and resolution of the complaint shall be given information about it. Therefore, the right of confidentiality of complainants, subjects, witnesses, and investigators will be vigorously protected; and violations of such confidentiality may, itself, be grounds for disciplinary action.

VI. Results of the Investigation

Revised 10/14/13

The result of the investigation of each complaint filed under these procedures will be reported to the complainant, his/her legal guardian, the accused and his/her legal guardian. The result of the investigation shall be reported to the complainant, his/her legal guardian, the accused and his/her legal guardian within fifteen working days of the commencement of the investigation. Notwithstanding anything to the contrary in this policy, while a complainant has the right to learn the outcome of his/her complain (i.e. to learn whether the complaint was investigated and whether discrimination/harassment was found), the district shall not disclose to a complainant any sanction or discipline recommended or imposed upon a student or employee to the extent such disclosure is prohibited by the Family Educational Rights and Privacy Act (FERPA) or

other applicable laws, regulations, rules, constitutional requirement, or orders. (An exception may apply, for example, in the case of a sanction that directly relates to the victim, such as an order that a violator/perpetrator/harasser stay away from the victim.)

VII. Appeal

Revised 10/14/13

If the complainant and/or the accused is not satisfied with the result of the investigation, he/she may submit a written appeal to the Human Rights Officer within five working days after receipt of the result of the investigation. If the Human Rights Officer is the subject of the complaint or otherwise is not impartial, the appeal shall be submitted to the superintendent who shall designate another administrator to conduct the appeal.

Revised 10/14/13

The Human Rights Officer (or other designated appeal official) shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation, if necessary.

Revised 10/14/13

The Human Rights Officer (or other designated appeal official) shall prepare a written determination with respect to the appeal within fifteen working days after initiation of the appeal, unless additional time to complete a supplemental investigation is required. In that case, the investigator shall report on the status of the supplemental investigation to the complainant and the accused at the expiration of the fifteen working day period. Although the district may extend the investigation when necessary, it must provide a prompt and equitable resolution.

Revised 10/14/13

The written determination shall include a summary of any supplemental investigation, a determination about whether there have been any violations of this policy, a recommended disposition of the complaint, and any recommended district action. The results of the appeal shall be provided to the complainant, the accused, and the person who conducted the initial investigation.

VIII. Discipline and Other Actions

Such action may include, but is not limited to, counseling, warning, suspension, exclusion, expulsion, improvement plan, transfer, termination, and revocation of licensure.

Revised 10/14/13

If the investigation or appeal results in a finding that the complaint is factual and constitutes a violation of this policy, the school district shall take prompt, corrective action reasonably calculated to ensure that such conduct ceases and will not recur, and to remedy any discriminatory effects of the violation for which the district is responsible. District action within the authority of the administration shall be implemented as recommended in the investigation and appeal process.

In determining the appropriate response and/or punishment, the school district shall consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incident occurred.

- A. Upon receipt of a recommendation that the complaint is valid, the Board will take such action as appropriate based on the results of the investigation.
- B. The Board shall also initiate such other action as is appropriate to ease tensions and affirm the values of respect and understanding in accordance with this policy.
- C. The superintendent shall immediately file a report with the West Virginia Department of Education of all reports of harassment or violence when an investigation shows that harassment or violence did occur and all actions taken in response to the incident.

D. Student Discipline

In the event the building principal recommends that a student be expelled from school, the student shall be suspended for a period of time not to exceed ten days. The principal shall notify the student's parent/legal guardian, in writing, of the recommendation. The principal shall notify the superintendent, in writing, of his/her decision.

Upon receipt of the principal's recommendation, the superintendent shall review the allegations contained in the complaint and the investigative report and recommendation. If the allegations in the complaint have been substantiated, the superintendent may recommend to the Board that the student be expelled for a period not to exceed one school year.

The principal shall notify the parent/legal guardian of the student, in writing, of the recommendation prior to presenting any evidence to the Board.

Upon notice of the right to be present before the Board at the hearing, the administration shall present evidence in support of its recommendation. If the Board finds, by a preponderance of the evidence, that the provisions of this policy have been violated, the Board may (a) expel the student for up to one school year, or (b) expel the student for such other time, up to one school year, as the Board deems just.

The student shall have the opportunity to present evidence to the Board at the hearing, including calling witnesses and cross-examining those of the administration. Nothing in this policy shall prevent the student from being represented by counsel, at his/her expense, nor shall the student be compelled to present any evidence that may tend to incriminate himself/herself.

In the event the student who is accused of committing the act is a student who receives special education and related services, no disciplinary action can be taken until and unless the student's individualized committee has determined that the student's actions did not arise as a result of his/her disability.

E. Faculty and Staff Discipline

If a faculty or staff person is accused of a violation of this policy,

the disciplinary procedures found in the regulations regarding disciplinary action shall apply.

F. Discipline of Non-School Related Personnel

Should any person that is not an employee or student of the Board be found to have violated this policy, that person shall, forthwith, be prohibited from entering any school building, facility, or property. Nothing in this policy shall prohibit contacting law enforcement or other personnel, including the Human Rights Commission, regarding the actions of any party subject to a complaint.

IX. Reprisal

The Board will discipline, as appropriate, any individual who takes any form of adverse action against any person who reports allegations of bullying, racial, sexual, disability or religious/ethnic harassment or violence, or who takes any form of adverse action against any person who cooperates, testifies, assists, or participates in any bullying, racial, sexual, disability, or religious/ethnic harassment, discrimination or violence investigation, proceeding or hearing. "Adverse action" includes, but is not limited to, any form of retaliation or intimidation, reprisal, coercion, provocation, or harassment.

The Board will discipline, as appropriate, any student, teacher, administrator, or other school personnel who intentionally falsifies reports bullying, of religious/ethnic, disability racial or sexual harassment or discrimination.

Revised 10/14/13

Title IX prohibits retaliation against any individual who files a complaint under Title IX or any individual who participates in a complaint investigation.

X. Student-Employee Relationships Prohibited

Amorous relationships between employees of the Board and students are prohibited, and staff members found to have violated this prohibition shall be subject to the penalties and disciplinary action defined herein.

XI. Non-Harassment

The Board recognizes that not every advance, conduct, or interaction of a racial, sexual or religious/ethnic or violent nature or based on a disability constitutes harassment or discrimination. Whether a particular act, conduct, interaction, or incident is a personal, consensual, welcome interaction or social relationship without discriminatory motivation or effect on employment or education status will be determined based upon consideration of all facts and surrounding circumstances.

The Board recognizes that not all reports of allegations of bullying, sexual, racial, disability, and/or religious/ethnic harassment or discrimination will result in findings that such an incident has occurred. However, the Board encourages all persons who believe that they are a victim of such conduct to come forward and affirms its policy that no adverse action will be taken upon the filing of a complaint under this policy, unless it is shown, through

investigation, that the complaint is patently false.

XII. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include the filing of charges with the West Virginia Human Rights Commission, filing an employee grievance under West Virginia Code §18-29-1, et seq., filing a citizen's appeal under West Virginia Board of Education Policy 7211, filing charges with the Federal Equal Employment Opportunity Commission, or initiating civil or criminal action under state and/or federal law.

XIII. Sexual Harassment as Abuse

Under certain circumstances, sexual harassment may constitute child and/or sexual abuse under Chapter 49 of the West Virginia Code. In such situations, the school district and its employees shall comply with the provisions of law for reporting such abuse.

XIV. Dissemination of the Policy

This policy shall be conspicuously posted throughout each school or facility of the Board in areas accessible to students and staff members.

This policy shall appear in the Student and Staff Handbooks; and, if no handbook is available, a copy shall be distributed to all students, faculty, and staff.

The students and staff of the Board shall be trained on these regulations and on means for effectively promoting the goals of this policy.

The Board policy shall be reviewed at least bi-annually to assure compliance with state and federal law and with State Board of Education policy.

XV. Implementation and Education

The school district shall develop a program designed to raise the awareness of types of harassment, how manifested, and on the emotional, educational, and legal consequences. Multi-cultural education programs must be established to foster an attitude of understanding and acceptance of individuals from a variety of cultural, ethnic, racial, and religious backgrounds.

Written and verbal information shall be presented to all faculty, staff, and students at least once annually. Dissemination of written and verbal information may be made by a designee(s) of the Human Rights Officer, as appropriate, and such presentation must be age-appropriate for students K-4, 5-8, and 9-12.

Search of Students, School, Student Lockers, and Student Vehicles

A. Search of Students

1. A principal, assistant principal, or school security guard of a public school may conduct a search of student only when school authorities have reasonable grounds or a reasonable belief for suspecting that the search will reveal evidence that the student violated the rules of the school or the laws of the State of West Virginia. (Reasonable Grounds/Reasonable Belief, as used throughout this policy, implies the existence of a circumstance or circumstances that would cause a rational person to believe that the search of a particular person, place, or thing will lead to the discovery of an item, substance, device, or thing the possession of which constitutes a violation of school rules or the laws of the State of West Virginia.)
 - a. The search must be reasonable in terms of the initial justification for the search and the extent of the search conducted.
 - b. The extent of the search conducted is reasonable when it is reasonably related to the objective of the search and not excessively intrusive to the student.
 - c. "Strip searches" are not permitted.

Guidelines for the Search of Students

1. The search follows a determination that information and circumstances exist to support a reasonable belief that a search is necessary.
2. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.
3. The form of the search is reasonably related to the objectives of the search. In other words, one would not search a student's pockets to seek a missing library book.
4. The nature of the search is not excessively intrusive in light of the student's age and sex and in consideration of the alleged infraction or suspicion.
5. Students shall not be asked nor required to disrobe unless exigent circumstances necessitate an immediate search in order to ensure the safety of the student or others.
6. Students may be directed to display the interior of and to empty the pockets of any extra/outer garment, coat, jacket, or sweater in their possession. They may be directed to display the contents of the pockets of any garment they are wearing and to remove and "shake-out" their shoes and socks.
7. Students may be directed to remove and display the contents of objects in their possession such as wallets, purses, briefcases, or book bags

provided the request is made pursuant to the above standards.

8. A police officer may not search the person of a student not under arrest unless the police officer has a reasonable suspicion that the student is concealing a weapon which poses a danger to others or the student is concealing a substance prohibited by the Substance Abuse Policy; controlled by State or Federal law; or other school policy or rule. A school official may not conduct a search of the person at the request of a police officer.

B. Search of School and Student Lockers

1. A principal, assistant principal or school security guard of a public school may make a search of the physical plant of the school and its appurtenances including the lockers of students.
2. The right of the school official to search the locker shall be announced or published previously in the school.
3. The right to make a search of the lockers of students is limited by a need to have reasonable grounds for the search and to conduct a reasonable search, a search reasonably related to the objective of the search and not excessively intrusive to the student.

Guidelines for the Search of Student Lockers:

1. The search follows a determination that information and circumstances exist to support a reasonable belief that a search is necessary.
2. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.
3. The form of the search is reasonably related to the objectives of the search.
4. When the locker to be searched is assigned to a particular student and the student is on school premises at the time of the search, the student may be notified (when practical and prudent) prior to the search and may be given the opportunity to be present during the search.
5. Police officers, upon the authority of a search warrant; may make a search of that part of the school premises described in the search warrant, and school officials should cooperate in performing the search.
6. Investigative searches of school premises by police officers shall be permitted only upon the authority of a search warrant or in any case where the search is essential to prevent imminent danger to the safety or welfare of the student or other persons or school property. The search may not include a student's assigned locker unless specified in the search warrant.
7. Every effort shall be made to conduct searches in a manner that will minimize a disruption of the normal school routine and minimize embarrassment to students affected.

C. Search of Student Vehicles

1. The vehicle is on school premises at the time the search is conducted.

2. A determination has been made that information and circumstances exist to support a reasonable belief that a search is necessary.
3. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.
4. The form of the search is reasonably related to the objectives of the search.
5. When the vehicle to be searched is, belongs, or is used by/assigned to a particular student and the student is on school premises at the time of the search, the student shall be notified (when practical and prudent) prior to the search and shall be given the opportunity to be present during the search.

Expected Behavior in Safe and Supportive Schools

West Virginia Department of Education Policy 4373

Jefferson County Schools recognizes the need for students, teachers, administrators, and other school personnel to have a nurturing and orderly, safe, and stimulating educational environment. The purpose of these regulations is to provide the Jefferson County Schools with a policy of expected behaviors that will ensure an orderly and safe environment that is conducive to learning. These regulations also require that schools respond immediately and consistently in incidents of harassment, intimidation, bullying, substance abuse, and/or violence of other behavior violations in a manner that effectively deters future incidents and affirms respect for individuals.

These regulations apply to all students attending the schools in Jefferson County during any education-sponsored event, whether in a classroom, elsewhere on school premises, on a school bus or other vehicle used for school related events or at a school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by Jefferson County Board of Education, RESA or State Department of Education, or in another facility being used by any of those agencies.

APPENDIX I is a sample list of actions that detract of a school's ability to promote a nurturing, orderly, safe environment conducive to learning with examples of responses to those violations.

Students will be provided information on the Expected Behavior in Safe and Supportive Schools including violations, their manifestations, their devastating emotional and educational consequences, and their potential legal consequences.

All violations of the Expected Behavior in Safe and Supportive Schools observed by school employees or by students must be reported to the appropriate personnel for appropriate action to be taken. The principal and his or her designee(s), which may include assistant principals, head teachers, teachers, other professional support personnel and service personnel; bus operators; other board of education employees both professional and service personnel, shall receive complaints about violations of the Expected Behavior in Safe and Supportive Schools depending on the location and circumstance of the incident. The individual(s) designated by the school to investigate, shall upon receipt of a report or complaint immediately undertake or authorize an investigation. The investigation may be conducted by school/school system officials, or by a third party designated by the school system.

APPENDIX 1

Inappropriate Behaviors & Meaningful Interventions and Consequences

Level I	Level II	Level III	Level IV
<ul style="list-style-type: none"> Cheating Deceit Disruptive/Disrespectful Conduct Failure to Serve Detention Falsifying Identity Inappropriate Appearance Inappropriate Display of Affection Inappropriate Language Possession of Inappropriate Personal Property Tardiness Skippping Class Vehicle Parking Violation 	<ul style="list-style-type: none"> Gang activity Habitual Violation of School Rules or Policies Insubordination Leaving school without permission Profane Language/Obscene Gesture/Indecent Act Technology Misuse 	<ul style="list-style-type: none"> Battery Against a Student Bullying/Harassment/Intimidation Defacing school property/Vandalism False Fire Alarm Fraud/Forgery Gambling Hazing Improper or negligent operation of a motor vehicle Larceny Threat of Injury/Assault Trespassing Imitation Drugs: Possession, Use, Distribution or Sale Possession/Use of Substance containing Tobacco and/or Nicotine Inhalant Abuse Sexual Misconduct Physical Fight without Injury Possession of Knife not meeting Dangerous Weapon Definition Possession of Imitation Weapon 	<ul style="list-style-type: none"> Battery on a school employee Felony Illegal Substance Related Behaviors Possession and/or use of Dangerous Weapon
Examples of Disciplinary Action			
<ul style="list-style-type: none"> Administrator/Student conference Administrator & Teacher-Parent/Student conference Academic Sanctions Counseling Referral to support staff Daily/weekly progress reports Behavioral contracts Change in the student's class schedule School service assignment Confiscation of inappropriate Item Revocation of privileges Restitution/restoration Before and/or after-school/lunch detention Denial or participation in class and/or school activities Immediate exclusion by teacher from one class period Voluntary Weekend detention In-school suspension Out-of-School suspension (up to 3 days) Law enforcement 	<ul style="list-style-type: none"> Administrator/student conference or reprimand Administrator & teacher-parent/student conference Counseling Referral to support staff Daily/weekly progress reports Behavioral contracts Change in the student's class schedule School service assignment Confiscation of inappropriate Item Revocation of privileges Restitution/restoration Before and/or after-school/lunch detention Denial of participation in class and/or school activities Immediate exclusion by teacher from one class period Voluntary Weekend detention In-school suspension Out-of-school suspension (up to 5 days) Principal/Superintendent recommendation for Alternative Education Law enforcement notification Expulsion 	<ul style="list-style-type: none"> Administrator/student conference or reprimand Administrator & teacher-parent/student conference Counseling Referral to support staff Daily/weekly progress reports Behavioral contracts Change in student's class schedule School service assignment Confiscation of inappropriate Item Revocation of privileges Restitution/restoration Before and/or after-school detention Denial of participation in class and/or school activities Immediate exclusion by teacher from one class period Referral to tobacco cessation services/treatment & substance abuse treatment services Voluntary Weekend detention In-school suspension Out-of-school suspension (up to 10 days) Law enforcement and/or DHHR notification Expulsion 	<ul style="list-style-type: none"> Suspension from school and possible expulsion with county board approval Expulsion Law enforcement notification

Expected behavior in safe and supportive schools: Inappropriate Behaviors: Codes, Definitions and Interventions and Consequences as defined by Policy 4373, effective July 1, 2012.

effective July 1, 2012

Student Medication and First Aid

No prescription medication shall be given except on written orders and dosage instructions from the student's physician, using the Jefferson County Schools Administration of Medication form. The medication must be in the original container and labeled clearly and accurately by the pharmacist or physician. Only one kind of medication may be included in any bottle or container.

The administration of nonprescription medication on an ongoing or long-term basis requires the authorization of a physician on a Jefferson County Schools Administration of Medication form. The medication must be in its original container.

Student medication shall be stored in a secure location either in the school office or clinic, with the exception of emergency medications such as inhalers, epinephrine auto-injectors, nebulizers, etc. where the licensed prescriber has given permission for the student to self-administer. These medications must also be registered with and supervised by the school nurse.

All medication authorization forms and parent requests for occasional administration of nonprescription medication products are valid for the current school year only.

Jefferson County Schools Health Services
MEDICATION ORDER FORM

I. For Completion by Parent/Guardian

Name of Student _____ Date of Birth _____
Last First MI

Name of Guardian _____ Phone # _____

School _____ School Year _____

TO PARENT/GUARDIAN: Before a school, it's agents, employees, or representatives can administer any medications to your child, you are required to sign this authorization form which signifies your request to have the medication administered, as well as your agreement to relieve the school, it's agents, employees, or representatives of any responsibility resulting from the administering of said prescribed medication as set forth herein.

I hereby request that the authorized staff of Jefferson County school system administer prescribed medications as directed by the physician (item II below). I have read the Jefferson County Board of Education policy (Student Medication and First Aid) and assume responsibilities as outlined.

 Signature of Parent/Guardian Date

II. For Completion by Authorized Prescriber (For medication given during school hours)

Medications	Dosage (in mgs)	Time to be Given

This medication is to be administered only until _____

Route of Administration? _____

If administered by Epi-Pen, Inhaler, Nebulizer, etc., complete box below

Possible Side Effects? _____

Diagnosis _____

Medication Given by Epi-Pen, Inhaler, Nebulizer, etc. Type of Device _____ Specific Directions _____ May Student Carry Inhaler/Epi-Pen? (Circle One) Yes No Training/Contract Date _____	Drug Allergies? _____ Yes _____ No If yes, allergic to? _____
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III. Physician or Other Authorized Prescriber (Signature Required)

 Signature of Physician/Other Authorized Signature Date

 Printed Name of Physician/Other Authorized Signature Date

 Practice Address and Phone Number
The School Nurse May Contact Your Physician As Needed!

Student Rights and Responsibilities Summary

Rights and responsibilities go hand in hand. Students in West Virginia have basic rights and responsibilities similar to those enjoyed by other citizens. These include the right to the equal protection of the laws and the right to the privileges and immunities of United States citizenship. Enjoyment of these rights is governed by due process of law.

- **The Right to a Thorough and Efficient Education** - All students, regardless of race, religion, national origin, language, gender, disability, marital status, parenthood, or pregnancy have the right to an equal education opportunity.
- **Student Inquiry and Expression** - Schools may not conduct, sponsor or endorse religious activities during school time.
- **Non-curriculum Related Student Groups** - When high schools allow one or more student groups whose purpose is not directly related to any class taught at the school to meet at the school, this is referred to as a limited open forum. If a school is a limited open forum for any purpose, the school must allow religious, political, and/or philosophical group meetings as long as the meetings are voluntary, monitored by the school, and do not interfere with the conduct of school activities.
- **Extra-Curricular Activities** - Students must meet all state and local attendance requirements and maintain a 2.0 grade point average in order to participate in non-academic extra-curricular activities (e.g. interscholastic athletics such as football, basketball, track or wrestling; cheerleading; student government; class officers in grades 6-12).
- **Privacy** - Students have certain privacy rights regarding school records.
- **Protection from Unreasonable Searches and Seizures and Self-Incrimination** - Federal and state constitutions and statutes provide protection for all citizens from unreasonable searches and seizures.
- **Child Abuse Prevention** - Students have the right to grow up without being physically or sexually abused at school, in the home or the community.

Substance Abuse Policy

The Board of Education prohibits the use, possession, or distribution of any controlled or imitation* substances as defined under West Virginia Code Chapter 60A and of any alcoholic beverages as defined under West Virginia Code Chapter 60 during school hours, on school property, on school buses, or at any school-sponsored event.

The primary responsibility of the school is to educate students using the broadest possible definition of education. The school also has an obligation to provide protection to those students. Substance use in school poses a serious threat to the academic, social, and emotional health of all students. Consequently, it is the school's responsibility to make every effort to reduce the threat, discipline the offender, and refer the individual(s) for counseling and/or other needed services.

It is the intent of the Board that programs of intervention and prevention are established to carry out this policy. Further emphasis will be placed upon community involvement and the education of parents relative to information concerning substance abuse.

There are five different identifiable substance abuse situations experienced by schools:

1. The student who is using controlled substances and/or alcohol voluntarily requests help from a staff member:
 - A. The student asks for help from a member of the professional staff or other agency,
 - B. The student is willing to discontinue abusing controlled substances and/or alcohol, and
 - C. The student is willing to work with an appropriate staff member or another agency in seeking a solution to his/her problem.
2. The student who has in his/her possession and/or is using controlled substances and/or alcohol in the school:
 - A. The student is under the influence of some controlled substances and/or alcohol in the school as evidenced by some deviation from his/her normal behavior pattern or other evidence of usage.
 - B. The student possesses the controlled substance and/or alcohol in such small amounts indicating it is for his/her own use.
3. The student is distributing controlled substance and/or alcohol to others:
 - A. The student is found to possess a quantity of controlled substance and/or alcohol beyond what could be reasonable for his/her own immediate use.
 - B. Sufficient evidence is presented that an exchange has taken place.
4. The visitor or person who is not enrolled in school and who is under the influence or in possession of controlled substances and/or alcohol or who may be distributing them to students:
 - A. The individual is not presently enrolled in the school.
 - B. The individual is suspected to be under the influence of, in the possession of, or to be distributing controlled substances and/or alcohol.

It is conceivable that a single student could fall into more than one of the above categories. This is often not the case, but the procedure for dealing with each situation may be different.

5. In addition to the above-mentioned categories, another situation involving such controlled substances and/or alcohol may occur. Various instruments and materials are commonly known to be intended for the use of, or preparation of, controlled substances. Such instruments would include, but not be limited to, hash pipes, water pipes, apparatus used for rolling marijuana cigarettes, spoons used for inhalation of cocaine, hypodermic syringes, bongs, bowls, and other similar materials, (hereinafter referred to as "implements"). Because

* For the purposes of this policy, an imitation controlled substance is any substance which is packed and/or manufactured to have the appearance of a controlled substance and/or any substance which an individual represents as a controlled substance.

of the intended use implied by these implements, possession and/or distribution by Jefferson County Schools students is prohibited and shall be dealt with according to the following criteria:

- A. The student is found to be in possession of implements that are used for the preparation of or the ingestion of controlled substances and/or alcohol.
- B. The student is not authorized by the appropriate medical source or person to possess such implements.
- C. The possession of an imitation controlled substance.
- D. The student distributes, attempts to distribute, or purchases an imitation controlled substance.

It is the policy of the Jefferson County Board of Education that a variety of restrictions, sanctions, mandatory treatment approaches, and punishment can be employed to meet the needs of the students and the educational system. An Implementation Plan shall be established pursuant to this policy.

COMPLIANCE WITH THIS POLICY IS A MANDATORY REQUIREMENT FOR ALL STUDENTS ENROLLED IN JEFFERSON COUNTY SCHOOLS.

**SUBSTANCE ABUSE IMPLEMENTATION PLAN
FOR
JEFFERSON COUNTY BOARD OF EDUCATION POLICY**

No policy or procedure can be effective without the understanding and cooperation of all parties involved. Specifically, in regard to drug policies and procedures, an understanding of the rationale for such a document by students, teachers, staff administration, and parents is essential. A sense of cooperation based on this knowledge may help to prevent or intervene in potential drug problems and enable those involved to more effectively handle actual difficulties as they occur.

The procedure for dealing with each of the five controlled substance and/or alcohol abuse problems outlined in Jefferson County Board of Education Policy will be as follows:

- I. The student who is using controlled substances and/or alcohol voluntarily requests help from a staff member:**
 - A. The counselor (professional who is working with the student) should either encourage the student to allow the counselor to involve the parents or encourage the student to inform the parents firsthand.
 - B. No contact shall be made with the police unless, on a case-by-case basis, compelling reasons exist to make such a contact advisable.
 - C. The student will be referred to the CORE Team.*
CORE Team shall consist of the principal or his/her designee (as chairperson), the student's counselor, the school psychologist and others deemed necessary by the chairperson.
- II. The student who has in his/her possession and/or is using controlled substances and/or alcohol in the school:**
 - A. First Offense
 - 1. The parent(s)/guardian(s) shall be notified immediately to come to the school for a conference.
 - 2. If the student's life is in danger, the parent(s)/guardian(s) shall be notified and the appropriate health care facility contacted. If the health problem is not a medical emergency, the parent(s)/guardian(s) should be encouraged to take the student to the appropriate health care facility as soon as possible.
 - 3. After the student is given his/her proper due process, the administrator shall suspend the student for ten school days and may request that the superintendent

recommends expulsion (WV Code § 18A-5-1a).

4. Law enforcement officials will be notified.
 5. The student will be referred to the school's CORE Team, which shall meet with the parent(s)/guardian(s) and student to assess the extent of the student's need for substance abuse counseling and/or education. The CORE Team shall prepare a contract, which specifies the student's behavior upon returning to school. The contract shall be signed by the principal, student, and parent(s)/guardian(s).
 6. Appropriate counseling agencies, i.e., a mental health facility, shall be informed that the student is being referred for counseling. The referent agency will send a signed Certification of Completion of the Substance Abuse Counseling to the referring principal. The student's parent(s)/guardian(s) shall attend the initial counseling session.
 7. Following suspension, the student may return to school. During the specified time of probation established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract and (b) function within certain limitations imposed by the CORE Team.
 8. Violation of probation may result in further suspension and/or recommendation for expulsion.
 9. Refusal to sign a student contract or comply with the Jefferson County Board of Education Policy Chapter 8, Section 4.2, Substance Abuse Policy, shall result in a conference between the Director of Pupil Services and the student and his/her parent(s)/guardian(s) in an attempt to resolve the non-compliance.
 10. Refusal to comply with counseling shall result in the student being referred to the Jefferson County Board of Education for expulsion.
- B. Two or More Offenses
1. Items #1, #2, and #4 under "First Offense" shall be followed.
 2. After the student is given due process and parent(s)/guardian(s) are notified to come to school for a conference to inform them of their rights, the principal shall submit documented evidence and recommend to the superintendent that the student be expelled.
 3. If the student wishes to return to school following the expulsion, the CORE Team shall meet with the parent(s)/guardian(s) and the student to prepare a contract for substance abuse counseling and/or education. The contract shall be signed by the principal, student, and parent(s)/guardian(s).
 4. Following expulsion, the student will return to school on a probationary status. During the specific time of probation, established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract, (b) maintain a record free from any further involvement with controlled substances and/or alcohol, and (c) function within certain limitations specific to school activities and those imposed by the CORE Team or the Board of Education.
 5. Violation of probation will result in a recommendation for permanent expulsion.

III. The student who is distributing controlled substances and/or alcohol to others: ¹(WVDE

¹A student will not unlawfully possess, use, be under the influence of, distribute or sell any substance containing alcohol, over-the-counter drugs, prescription drugs, marijuana, narcotics, any other substance included in the Uniform Controlled Substances Act as described in West Virginia Code §60A-1-101, et seq. or any paraphernalia intended for the manufacture, sale and/or use of illegal substances in any building/area under the control of a county school system, including all activities or events sponsored by the county school district. This includes violations of WVBE Policy 2422.8 - Medication Administration and instances of prescription drug abuse.

Policy 4373)

- A. The principal shall verify and document evidence that the student has distributed or intends to distribute controlled substances and/or alcohol.
- B. Police shall be notified for illegal activity or possession.
- C. After the student is given due process and parent(s)/guardian(s) are notified to come to school for a conference to inform them of their rights, the principal shall submit documented evidence and recommend to the superintendent that the student be expelled.
- D. If the student wishes to return to school following the expulsion, the CORE Team shall meet with the parent(s)/guardian(s) and the student to prepare a contract for substance abuse counseling and/or education. The contract shall be signed by the principal, student, and parent(s)/guardian(s).
- E. Following expulsion, the student will return to school on probationary status. During the specific time of probation, established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract, (b) maintain a record free from any further involvement with controlled substances and/or alcohol, and (c) function within certain limitations specific to school activities and those imposed by the CORE Team or the superintendent.
- F. The superintendent may recommend the permanent expulsion of any student who is sixteen years of age or older for two or more violations as defined in this section (III) of this policy.

IV. The visitor or person who is not enrolled in school and who is under the influence of, or in possession of, controlled substances and/or alcohol or who may be providing them to students:

- A. If sufficient evidence indicates that the non-student/visitor is distributing controlled substances and/or alcohol to students, the administrator shall immediately notify the appropriate law enforcement officials.
- B. If the individual is suspected to be under the influence of, or in the possession of, a controlled substance and/or alcohol, the administrator shall request that he/she leaves the school campus and/or the administrator shall contact the appropriate law enforcement officials.
- C. If the individual ignores the administrator's request to leave the campus or is disruptive or disorderly, the administrator shall contact the appropriate law enforcement officials.

V. The possession and/or distribution of implements intended for the use of preparation of controlled substances:

- A. The unauthorized implements shall be confiscated from the student by a school official.
- B. The principal shall apply the disciplinary guidelines found in Section II of this Implementation Plan.

VI. The possession of an imitation controlled substance:

For the purpose of this policy, an imitation controlled substance is defined as any substance which is packaged and/or manufactured to have the appearance of a controlled substance and/or any substance which an individual represents as a controlled substance.

The possession of an imitation controlled substance shall be equivalent to the possession of a controlled substance. Refer to Part II, Section A, B, and C of this policy for the procedure and/or disciplinary measures to be invoked for each offense.

VII. The distribution, attempt to distribute or the purchase of an imitation controlled substance:

The distribution, attempt to distribute, or the purchase of an imitation controlled substance

shall be equivalent to the distribution, attempt to distribute, or the purchase of a controlled substance and/or alcohol. Refer to Part III, Sections A through E of this policy for the procedures and disciplinary measures to be invoked for each offense.

All references to drug abuse or substance abuse in this policy shall be deemed to include all controlled substances and alcohol.

Substance Abuse Drug/Alcohol Counseling and Support Resources

The following is a listing of area agencies and organizations which provide counseling for drug or alcohol related problems. This list does not include area private counseling agencies. Please consult your telephone directory for private agencies.

Al-Anon and Alateen
1-800-344-2666
24 hr/day

Alcoholics Anonymous
1-800-333-5051
24 hr/day

Narcotics Anonymous
1-800-777-1515
24 hr/day

WV 211 provides up-to-date referral information for a variety of counseling and other supportive resources throughout the state. Dial 211 for more information.

Penalty for Violation of Substance Abuse by Graduating Students

Graduating students who violate Board policies on possession, consumption, or distribution of alcoholic beverages, controlled dangerous substances, counterfeit controlled dangerous substances, non-controlled substances as defined by West Virginia Code 60-1-1, et seq. or West Virginia Code 60A-1-101, et seq., or other intoxicant at any time during the last four weeks of school prior to the last scheduled day and the graduation ceremony, whether the activity takes place on school buses, within a school building or upon any school property, or during any school, school-related or Board-sponsored activity, whether held on school property or at locations off school property, including private clubs, businesses, or commercial establishments, shall be prohibited from participation in all senior activities, including proms, award ceremonies, and graduation ceremonies. Penalties set forth in Jefferson County Board of Education Policy, Chapter 8, Section 4.2, Substance Abuse Policy, including expulsion recommendations for certain violations, will also be implemented.

Diplomas earned by students denied participation in graduation ceremonies will be available upon request in the office of the appropriate school principal on the first work day following graduation ceremonies.

Tobacco Control Policy

I. Application

- A. This policy shall apply at all times to any building, property or vehicle leased, owned or operated by the Jefferson County Board of Education. This policy shall apply to any private building, or other property including automobiles or other vehicles used for school activities when students and/or staff are present.
- B. No person shall distribute or use any tobacco product in any area defined in Section A of this policy at any time.
- C. “Tobacco Product” is defined to include but not be limited to cigarettes, pipes, cigars or other implement, designed, used or employed for smoking any tobacco product, of any type as well as alternative nicotine products or vapor products and tobacco products that may be placed in the mouth or nose.
- D. Individuals supervising students off school grounds are prohibited from distributing or using any tobacco product while in the presence of students or any time while engaged in any activities directly involving students.
- E. No school or board property as defined in Section A of this policy, or school or county publication may be used for advertising any tobacco product.
- F. Groups using areas described in Section A shall sign agreements with the Board of Education agreeing to comply with this policy and to inform students, parents, and spectators that this policy remains in force on evenings, weekends, and other times that school is not in session.

II. Prevention

- A. K-12 curriculum shall include required prevention education components as identified in WVDE Policies on Health Education and Safe and Drug Free School guidelines

III. Implementation

- A. Every school in the county school district shall have a Tobacco Control Policy that meets the stipulations of this policy and adheres to the following guidelines. This policy serves as school policy except where the need for school-level procedures or measures is indicated. Compliance is mandatory. Schools may impose additional strategies and restrictions not outlined in county policy provided they meet the tenets and intent of the county policy.
- B. Administration: Administration procedures for dealing with tobacco are the responsibility of all county and school administrators as follows:
 - 1. It is the responsibility of each school administrator to implement provisions of this policy within their schools, specifically education, communication, and enforcement provisions as outlined in this policy.
 - 2. It is the responsibility of each school to develop clear procedures

for identification, intervention, and referral of students with tobacco-related problems to the school counselor, school nurse or other identified health professionals. These procedures should be included in the student and staff handbooks.

3. It is the responsibility of each school to maintain an environment for students, staff, and visitors that presents no physical harm, discomfort or unsanitary condition resulting from tobacco product use.

IV. Enforcement

A. Students

1. First Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, advised as to availability of cessation classes and referred to law enforcement.
2. Second Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, recommendation for attendance in a tobacco cessation class at the student's expense and referred to law enforcement.
3. Third and Each Additional Offense: Same as "2" above plus twenty hours of community/school service approved by the school administration and referred to law enforcement.

Failure to complete educational activities, cessation classes and/or community service may result in suspension from school.

1. First Offense: Offenders shall be asked by the school employee who witnesses the incident to cease the use of tobacco products.
2. Repeat Offenders: Repeat offenders shall be notified by certified letter by the school principal that they are banned from all Jefferson County Board of Education property for a period of not less than one year. This letter will be copied to law enforcement.
3. Failure by offenders to abide by the notice shall result in the filing of a complaint with law enforcement by the building administrator.

APPENDIX A
Tobacco Control List

Tobacco cessation classes are available to all students and school personnel. Arrangements may be made by contacting the following organization(s):

American Cancer Society
1-800-227-2345

American Lung Association
(Freedom from Smoking)
State Office-(304) 342-6600
National Office-1-800-LUNGUSA

Jefferson County Schools
Office of Assistant Superintendent
(304) 725-9741

Jefferson Memorial Hospital
(304) 728-1600

Jefferson County Schools Transportation Department **BUS PROCEDURES**



“The Driving Force to a Good Education”

Section Synopsis:

This section provides guidelines for eligible bus rider students. These regulations and procedures provide measures for violations of rules in order to promote safe, prompt movement of students to and from school.

BUS CONDUCT PROCEDURES

The Jefferson County Board of Education provides bus transportation to and from school as a courtesy service through the Jefferson County Board of Education Transportation System for eligible students residing in the County. The West Virginia School Transportation Policy and Procedures Manual (4336) provides rules governing school bus operations. The State of West Virginia funds the service by allotting the county a given amount for eligible students transported.

Eligible students are defined by the State statute as those residing in the district more than two miles from the school they should attend, as measured by the nearest route. The nearest route is the nearest traveled public road which may or may not be the road used by the school bus. Address eligibility is continually audited. When an address is found to be

ineligible (because of street closings, construction changes, etc.), notification will be made as soon as possible with a grace period allowed for parents to arrange alternate means of transportation.

In order to meet the conditions outlined by the State and provide safe, prompt movement of eligible students, the State of West Virginia has adopted standard regulations and procedures and has provided restrictive measures for violations of the rules. They are herein outlined for your information and for the guidance of your child.

The Jefferson County Schools Transportation Department is pleased to provide transportation for its eligible students and solicits your assistance in helping create a safe, healthy operation. We ask your cooperation with school personnel in developing proper behavior patterns for those pupils who ride buses.

If you should need information concerning bus routes or need information concerning student misconduct on buses, consult the Jefferson County Schools Transportation Department at (304-725-7664) or Website at:

<http://boe.jeff.k12.wv.us/transportation>

Procedures on Bus Routes/Bus Stops

Bus routes cannot be customized based on who lives where.

- Bus routes are set up based on:
 - Even distribution of stops throughout a neighborhood.
 - Safety of locations.
 - Fairness to all residents ~ including those who have yet to move into the neighborhood.
- Routes will not change based solely on where students live.
- Routes will not be changed solely because a parent cannot see a bus stop for his/her house.
- Routes will not be changed because it is too far for the student to walk unless the student lives over two (2) miles from the stop.
- Students are assigned to bus stops by the computer routing software Versatrans.
- If a stop (to or from school) has not had students for ten consecutive school days, that stop may be eliminated after parent notification. The stop may be reestablished after being reviewed by the Transportation Department.

Any requests for changes to routes must be submitted in writing to: Jefferson County Schools Transportation and Operations Facility, 635 McGarry Boulevard, Kearnesville, WV 25430 and include the following:

- Your name, address, and phone number.
- Location of current bus stop and bus number.
- Change requested and the reason.
- Location of the new stop if you are requesting a different stop to be added or a stop to be relocated.

Procedures for riding a bus other than the student's home bus (Permanent)

1. Must be for child care purposes.
2. Bus must not be at capacity (there must be empty seats available).
3. Written permission is required from the custodial parent/guardian of the student desiring the change and is to be faxed, e-mailed or hand delivered to the student's school and must be approved through the Transportation Department. A daytime phone number must be included with the written permission, as a return phone call will be made for verification. ***If communication and verification cannot be made with the custodial parent/guardian, approval will not be granted.***

Procedures for riding a bus other than the student's home bus (One Day)

1. Must be for child care purposes.
2. Bus must not be at capacity (there must be empty seats available).
3. Written permission is required from the custodial parent/guardian of the student desiring the change and is to be faxed, e-mailed or hand delivered to the student's school and must be approved through the Transportation Department. A daytime phone number must be included with the written permission, as a return phone call will be made for verification. ***If communication and verification cannot be made with the custodial parent/guardian, approval will not be granted.***

Out – of – District Transfers

In the Case of an approved out – of – district transfer, it will be the responsibility of the custodial parent/legal guardian to provide transportation. However, bus transportation may be provided by Jefferson County Schools using existing bus routes based on the following:

1. Bus service would only begin two weeks after the start of the school year once all bus routes can be finalized. It will be the responsibility of the custodial parent/legal guardian to provide transportation.
2. Bus service will only be allowed provided the request does not create an overload on the bus serving that area.

If bus transportation is approved, it will be the custodial parents/legal guardian's responsibility to transport the students to the nearest bus stop in the proper district. The bus service can be terminated if the student becomes a behavior problem.

The custodial parents/legal guardian must contact the Jefferson County Schools Transportation Department before this service may begin.

Bus Rider's Handbook General Safety Rules

1. Obey the instructions of the bus driver.
2. Elementary, middle, and high school students must board the bus at their designated stop only.
3. Only students who are eligible to ride may be transported. Changes to a single day's routine may be made for emergency purposes only and must be arranged through the

- Transportation Department with details stated in writing and given to the bus driver.
4. DO NOT ask to ride home on another bus with a friend.
 5. Ride only the bus to which you are assigned. Riding another bus requires written permission from the custodial parent/guardian of the student desiring the change.
 6. Students are only allowed to get off the bus at their regular stop.
 7. Getting off the bus at another stop requires approved written permission from the custodial parent/guardian of the student desiring the change.

Procedures for Waiting for the Bus

1. Be at your bus stop five (5) minutes before your scheduled pick-up time. The bus is considered on time if it arrives as early as five (5) minutes before the posted time or as late as five (5) minutes after the posted time. Drivers will not wait or honk the horn.
2. Stand on the sidewalk or back from the roadway while waiting for the bus.
3. When the bus approaches, *form a line* and be prepared to *load immediately*.
4. Stand clear of the bus until it comes to a complete stop and the door opens.
5. If you miss the bus, go home immediately.
6. Parents should instruct their children on what procedures to follow if the bus is missed.
7. Parents are responsible for providing transportation to school if a child misses the bus.
8. Students must follow campus procedures for boarding and riding the bus.
9. Once the door of the bus has closed and the wheels have moved, no matter how slight, the driver will not reopen the door to allow students to board. This is to prevent injuries caused by students falling under the rear wheels while running to catch bus.

Loading the Bus

1. Do Not push or shove.
2. Use the handrail and steps
3. Go to your assigned seat. The bus will not move until all students are seated.
4. Elementary, middle, and high school students are to board the bus at their assigned bus stop.
5. After boarding the bus, the student is not to get off the bus except at the school, unless the bus routes necessitate a scheduled student transfer onto another bus.

In-Transit Operation

1. Buses will not be driven on private property (business, Etc,) unless authorized by Jefferson County Schools. Field Trip buses are exempt from being driven on private property.
2. No student shall be allowed to ride or stand in front of either front passenger seat or white standee line.

Vandalism on Bus

To ensure that school buses can serve our students for multiple years, littering, defacing, or damaging school buses is not tolerated. Students will be required to pay for damages they cause to the school buses and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct. Community service, with

parent permission, supervised by campus administrators, and approved by the campus principal may be substituted for monetary restitution.

Prohibited Items

1. Tobacco
2. Glass containers
3. Alcoholic beverages
4. Weapons, explosive devices, harmful drugs, or chemicals
5. Matches or lighters
6. Any Item that might distract the driver or cause a disruption on the bus
7. Laser pointers
8. Projects or equipment that cannot be held safely in the student's lap and/or causing an obstruction of the students face/head

Departure from School

1. Bus departure time is set by the campus principal or designee. Buses will not depart from the school prior to that time. That designee will be responsible for the safety of all tardy bus students.
2. Once the door of the bus has closed and the wheels have moved, no matter how slight, the driver will not reopen the door to allow students to board. This is to prevent injuries caused by the students falling under the rear wheels while running to catch the bus.
3. Parents are responsible for providing transportation home from school if a child misses the bus.
4. Parents should instruct their children on what procedures to follow if the bus is missed.
5. Students must follow campus procedures for boarding the bus when leaving school.

Getting Off or Exiting the Bus

1. Stay seated until the bus is completely stopped.
2. Use the handrail and take one step at a time when leaving the bus.
3. Wait for your turn to leave the bus.
4. Elementary, Middle and High School students must get off the bus at their assigned bus stop.
5. Getting off the bus at another stop or riding another bus requires an approved written note from the child's custodial parent/guardian of the child desiring the change.
6. Stay clear of the bus when the engine is running. Do not chase or hang onto the bus.
7. If any article drops or rolls near, or under, the bus – do not go after it. Go to the door and ask the driver for help.
8. Students should leave the bus stop after exiting the bus.
9. Students will be returned to the school if the parent/guardian or designated adult, if required, is not at the bus stop to receive the student(s) from the bus.

Pre-Kindergarten and Kindergarten Programs

The Jefferson County Schools' transportation procedure requires that a parent or designated adult be at the school bus stop in the afternoon to receive his or her child. If a parent or designated adult is not present to receive the child, she or he will be returned to the child's school (unless circumstances at the school prohibit this, then the student will be taken to the Transportation Department).

Grade One and Two

For students in grades one and two, it is strongly recommended that a parent or designated adult be at the school bus stop in the afternoon to receive his or her child.

Crossing the Street or Highway

1. All students living on the left side of the roadway shall exit the bus and move to a point 10 to 12 feet in front of the right bumper and wait for the driver to signal that it is safe to cross.
2. Check in both directions and walk directly across the road.
3. **NEVER CROSS THE ROAD BEHIND THE BUS.**
4. CAUTION: Be alert for vehicles that do not stop when the bus is loading or unloading students.
5. Cross all streets at intersections when possible. Obey all traffic signals and signs on the way home.

Accident or Emergencies

1. Follow the driver's instructions.
2. If you must leave the bus, stay in a group.
3. Students are not to leave the scene of a bus accident (even with parents) until authorized by school authorities. This procedure accounts for all students.
4. The following procedures will be used for evacuation in an emergency situation:
 - a) Follow the driver's instructions completely.
 - b) Driver will designate evacuation helpers.
 - c) Leave the bus in single file as quietly as possible.
 - d) Go to the designated safety zone.

Bad Weather

During inclement weather the decision to close or delay schools will normally be made prior to 5:30 a.m. School closing will be announced on the radio, television, Jefferson County Schools Cable Channel 18, and the Jefferson County Schools Website:

<http://boe.k12.wv.us/status>

Isolated Early Release

For grades Pre-Kindergarten to five, when school is released early due to isolated occurrences such as power outages, no water service, no electricity, etc., Jefferson County Schools' transportation procedure requires a parent or designated adult to be at the bus stop to receive his or her child. "Isolated Occurrences" is defined as a non weather related early dismissal which affects a minimal number of schools. In such cases, a diligent effort will be made to contact parents or designated adults as soon as the decision to close school early due to isolated occurrences is made. If a parent or designated adult is not present at the school bus stop to receive the child, the child will be returned to his/her school (unless circumstances at the school prohibit this; then the student will be taken to the Transportation Department).

Emergency Forms and Contacts

Parents/guardians are encouraged to have an alternate child care plan in place. It is equally important to keep parental and emergency contact information current with each child's school(s) and the Transportation Department. This Information should be listed on the Student Information Form provided to every Jefferson County Schools' student. Further, the information should also be listed on the Student Transportation Form which is distributed to all students riding the school bus. Schools do not send updated information to the Transportation Department.

Extracurricular Trips

1. Bus rider rules apply to all school-sponsored events.
2. Discipline will be the responsibility of the building principal and the trip sponsor.
3. Strict loading and unloading time schedules will be followed.
4. The bus must return clean from the trip.
5. If a student's bus privileges are suspended from one bus, privileges are also denied for all buses, including extracurricular trips.

BUS DISCIPLINE

<p style="text-align: center;">LEVEL 1</p> <ul style="list-style-type: none"> A. Exiting/d disembarking at the wrong stop B. Deceit towards driver C. General disrespect D. Disruptive behavior E. Failure to serve suspension F. Falsify Identity G. Inappropriate display of affection H. Inappropriate language I. Possession of inappropriate personal property J. Habitual tardiness K. Minor graffiti 	<p style="text-align: center;">LEVEL 2</p> <ul style="list-style-type: none"> A. Leaving bus without permission B. Gang activity C. Habitual violation of rules or policies D. Insubordination E. Profane language / Obscene gestures / indecent act F. Technology misuse
<p style="text-align: center;">LEVEL 3</p> <ul style="list-style-type: none"> A. Fighting (any) B. Bullying / Harassment / Intimidation C. Defacing school property (Vandalism) D. False fire alarm E. Gambling F. Hazing G. Larceny H. Threat of injury / Assault I. Sexual Misconduct J. Possession / Use of substance containing tobacco and/or nicotine K. Possession / use / distribution or sale of imitation drugs L. Vaping or E-cigarettes M. Inhalant use N. Possession of knife not meeting dangerous weapon definition O. Possession of imitation weapon 	<p style="text-align: center;">LEVEL 4</p> <ul style="list-style-type: none"> A. Assault / Battery to a school employee B. Felony C. Possession or use of controlled substance D. Possession or use of a dangerous weapon <p>A Level IV Offense must be reported to the school administrator and law enforcement immediately.</p>

CONDUCT ON THE BUS

First Offense – Driver has One - On - One "Verbal Warning" with student. Incident will be documented on log sheet. (Driver has the option to call parent)

Second Offense – Driver will fill out a "Warning Letter" (Level I and Level II). Incident will be documented on log sheet and a call will be made to the parent. The Warning Letter will be filled out by the driver and given to a Clerk, Secretary or Driver Supervisor at the Transportation Department to be mailed out to the parent.

Third Offense – Driver will fill out a Bus Conduct Report (Level I and Level II). Incident will be documented on log sheet and a call will be made to the parent. A copy of the previous "Warning Letter," Log Book Entries, Seating Chart, and Bus Conduct Report will be hand delivered or scanned to the School Administrator for action within 24 hours of the Incident.

For a Level 3 or Level 4 Offense – The Driver will skip the first and second offense and fill out a Bus Conduct Report and hand deliver or scan it the school administrator immediately. The driver also needs to contact the parent / guardian to alert them that a bus conduct report has been submitted to the school. If a Level IV Offense has been committed, the driver must contact / notify law enforcement immediately. The school administrator will return the Driver's and Transportation's copy to the Transportation Office with the present action and recommendation documented. Once the School Administrator documents the action and recommendation, they will contact the parent. The action and recommendation of the School Administrator is FINAL.

NOTICE TO PARENTS PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS OR INSURANCE (E.G, MEDICAID)

This notice informs parents of the Individuals with Disabilities Education Act of 2004 (IDEA) regulations at 34 CRF §300.154, effective March 18, 2013, regarding written notification and parent consent to access public benefits or insurance, such as Medicaid. Before the school district accesses the parent's or child's Medicaid or other publicly funded benefits for the first time to seek reimbursement for services provided to an eligible student, and annually thereafter, this written notice is provided to inform parents of the following:

- A prior written parental consent will be requested to release personal information from a child's education records or information about the services that may be provided for the purpose of billing Medicaid or another specific agency for Individualized Education Program (IEP) services.
- The consent form will state the student's personal education records and information that will be disclosed, the purpose of the disclosure (e.g. Medicaid billing) and the agency to which the records will be released. By consenting, parents state they understand and agree that their or their child's public benefits or insurance will be accessed to reimburse the cost of services.
- Parents cannot be required to sign up for or enroll in public benefits or insurance programs for their child to receive free appropriate public education, that is, IEP services.
- Parents are not required to pay out-of-pocket expense such as a deductible or co-pay amount resulting from filing a claim, but may pay the cost that otherwise would be paid by parents.
- Parents must be informed that their public benefits or insurance (e.g., Medicaid) will not be billed if it would:
 - result in a decrease in lifetime benefits;
 - result in the child's parents paying for services that would otherwise be covered and that are needed for the child outside of the time the child is in school;
 - result in an increase in premiums or discontinuation of public benefits or insurance; or
 - risk loss of eligibility for home and community-based waivers based on the total (aggregated) health-related expenditures for the child or the child's parents.
- Parents have the right to withdraw consent to disclose their child's personal information for billing purposes at any time.
- Parents' withdrawal of consent, or refusal to provide consent, to release their child's personal information for purposes of accessing their public benefits or insurance (e.g., for Medicaid billing) does not relieve the school district of its responsibility to ensure that all required IEP services are provided at no cost to parents



PROCEDURAL SAFEGUARDS

*Available to Parents and Students
With Exceptionalities*

Revised July 2017



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2017-2018**

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**PROCEDURAL SAFEGUARDS
AVAILABLE TO
PARENTS AND STUDENTS
WITH EXCEPTIONALITIES**

Revised July 2017

West Virginia Department of Education



Procedural Safeguards





FOREWORD

The West Virginia Department of Education is dedicated to ensuring students become engaged, productive citizens of our state, nation and world. We believe that all young people can and will learn and that every young person in West Virginia must be provided with a world-class education. When a student's individual needs require changes to his or her educational services, the parent and student have special protections, or procedural safeguards, under state and federal law to ensure they are informed participants in the decision-making process.

To facilitate informed parent involvement, this document explains the rights of parents, and students to whom rights have transferred, in the special education process. For situations in which the parent and school district disagree on important matters related to the student's education, it describes the processes available for resolving disputes.



PROCEDURAL SAFEGUARDS AT A GLANCE

The following is a summary of the procedural safeguards, that is, parent and student rights under the special education laws and regulations, which are discussed in full in this document. The full explanation includes all procedural safeguards available under the Individuals with Disabilities Education Act implementing regulations, 34 Code of Federal Regulations (CFR) §300.148 (unilateral placement in private school at public expense), §§300.151 through 300.153 (state complaint procedures), §300.300 (consent), §§300.502 through 300.503, §§300.505 through 300.518, and §§300.500 through 300.537 (procedural safeguards in Subpart E of Part B regulations) and §§300.610 through 300.625 (confidentiality of information provisions in Subpart F). Please refer to the section indicated for complete information.

Parent Notice and Consent – Page 4

A parent or adult student (student age 18 or older to whom rights have transferred) has the right to be informed of actions, and for some actions, to give consent before the school district considers or makes changes to the student's education based on special needs. The school district must give the parent **prior written notice**, information in writing, before it takes any action to identify, test or place the student in special education for the first time and before it makes any changes to the student's special education and related services or placement. When the parent has requested a change, and the district refuses, the parent also must be informed in writing of the basis for the action. Parents have certain **consent** rights. The school district must get written parental consent before first evaluating a student and before providing special education services for the first time to a student. After the student is placed in special education, consent will be requested before reevaluations. Parents also have the right to revoke (withdraw) consent.

Independent Educational Evaluations – Page 9

A parent who disagrees with an evaluation completed by the school district has the right to have the student evaluated by someone who does not work for the school district. If the evaluation meets certain conditions, the school district must pay for it, unless the district proves in a due process hearing its evaluation was appropriate.



Confidentiality (Privacy) of Education Records – Page 10

Parents (and adult students) have **access rights** to review education records about the student kept by the school district and the right to expect that those records will not be open to anyone except certain people who need the information for reasons related to the student’s education. Parents must give written **consent** before records may be released, except in certain circumstances. If a parent believes the student’s records are incorrect or violate privacy, an **amendment of the record** may be requested. When the records are no longer needed for the student’s education, the parent (or adult student) has the right to request **destruction of the records**.

Dispute Resolution – Page 16

When a concern arises about a student’s education, parents are encouraged to discuss it with teachers, the principal and the district special education director. Many issues may be resolved through informal conferences or IEP team meetings. When these steps do not resolve the issue, a parent may consider a Facilitated Individualized Education Program (FIEP) Team Meeting, mediation, state complaint or a due process hearing.

Disciplinary Actions for Students with Disabilities – Page 32

School personnel may remove a student with a disability from class or school for a violation of the student code of conduct used for all students for ten days in a school year. When the removal is for more than ten days in a school year, special rules for functional behavior assessment, behavior plans and continued services apply. If the removal is for more than ten days in a row or otherwise is a change of placement, an Individualized Education Program (IEP) team must decide whether the behavior was caused by the student’s disability (manifestation determination). A parent may file an appeal if he or she disagrees with the district’s manifestation determination or change of placement decision.

Unilateral Parental Placement of Students with Disabilities in Private Schools – Page 39

Special conditions apply when a due process hearing is filed to resolve a dispute between a parent and the school district regarding payment for private school services.



PROCEDURAL SAFEGUARDS AVAILABLE TO PARENTS AND STUDENTS

The Individuals with Disabilities Education Act (IDEA), the federal law concerning the education of students with disabilities, and West Virginia Board of Education Policy 2419: Regulations for the Education of Students with Exceptionalities provide procedural safeguards to ensure parent participation in the special education process and to ensure the student's right to a free appropriate public education (FAPE). In addition, Policy 4350: Regulations for the Collection, Maintenance and Disclosure of Student Data protects confidentiality of student information. At age eighteen, all the following rights given to parents transfer to the student. The student will receive any notices sent to parents and may exercise these rights unless a court has appointed a legal guardian to represent the educational interests of the student. Parents also continue to receive all required notices. Procedural safeguards in IDEA may be found in Part B at 34 Code of Federal Regulations (CFR) §§300.500 through 300.536.

Parent Notice and Consent

Prior Written Notice (PWN)

The school district must give the parent written notice (provide certain information in writing), whenever it:

1. Proposes to initiate or to change the identification, evaluation or educational placement of a student, or the provision of a free appropriate public education (FAPE), or
2. Refuses to initiate or to change the identification, evaluation or educational placement of a student, or the provision of FAPE.

The written notice must:

1. Describe the action the school district proposes or refuses to take;
2. Explain why the school district is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record or report the school district used in deciding to propose or refuse the action;
4. Include a statement that parents have protections under the procedural safeguards provisions of the IDEA;
5. Tell how to obtain a description of the procedural safeguards if the action the school district is proposing or refusing is not an initial referral for evaluation;



6. Include resources for parents to contact for help in understanding the IDEA;
7. Describe any other choices the student's Individualized Education Program (IEP) Team considered and the reasons why those choices were rejected; and
8. Provide a description of other reasons why the school district proposed or refused the action.

Notice in understandable language

The notice must be:

1. Written in language understandable to the general public; and
2. Provided in the parent's native language or other mode of communication, unless it is clearly not feasible to do so.

If the native language or other mode of communication is not a written language, the school district must take steps to ensure that:

1. The notice is translated orally or by other means to the parent in the native language or other mode of communication;
2. The parent understands the content of the notice; and
3. Written evidence that 1 and 2 have been met is maintained.

Native language, when used with an individual who has limited English proficiency, means the following:

1. The language normally used by that person, or, in the case of a student, the language normally used by the student's parents;
2. In all direct contact with a student (including evaluation of the student), the language normally used by the student in the home or learning environment.

For a person with deafness or blindness, or for a person with no written language, the method of communication is what the person normally uses (such as sign language, Braille or oral communication).

If the school district offers parents the choice of receiving documents by electronic mail (e-mail), parents may choose to receive the following by e-mail:

1. Prior written notice;
2. Procedural safeguards notice; and
3. Notices related to a due process complaint.



Definition of consent

Consent means the parent:

1. Has been fully informed in his or her native language or other method of communication (such as sign language, Braille or oral communication) of all information about the action for which consent is given;
2. Understands and agrees in writing to that action, and the consent describes that action and lists the records (if any) that will be released and to whom; and
3. Understands the consent is voluntary and may be withdrawn at any time.

If the parent wishes to revoke (cancel) consent after the student has begun receiving special education and related services, the parent must do so in writing. Withdrawal of consent does not negate (undo) an action that occurred after the parent gave consent and before it was withdrawn. In addition, the school district is not required to amend (change) the student's education records to remove any references that the student received special education and related services after withdrawal of consent.

Consent for initial evaluation

Before the school district conducts an initial evaluation of a student to determine eligibility under IDEA to receive special education and related services, it must provide the parent PWN of the proposed action and obtain parent consent.

The school district must make reasonable efforts to obtain informed consent for an initial evaluation to decide whether a student has an exceptionality. Parent consent for initial evaluation does not mean the parent has given consent for the school district to start providing special education and related services to the student.

Refusal to consent to one service or activity related to the initial evaluation may not be used as a basis for denying the parent or the student any other service, benefit or activity, unless IDEA, Part B requires the school district to do so.

If the student is enrolled in public school, or parents are seeking to enroll the student in a public school, and consent has been refused or the parents have not responded to a request for consent for an initial evaluation, the school district

may, but is not required to, seek to conduct an initial evaluation through the special education mediation or due process hearing procedures. The school district will not violate its obligations to locate, identify and evaluate the student if it does not pursue an evaluation in these circumstances.

Special rules for initial evaluation of wards of the state

If a student is a ward of the state and is not living with the parent, the school district does not need consent from the parent for an initial evaluation to determine if the student is a student with an exceptionality if:

1. Despite reasonable efforts to do so, the school district cannot find the student's parent;
2. The rights of the parents have been terminated in accordance with state law; or
3. A judge has assigned the right to make educational decisions and to consent for an initial evaluation to an individual other than the parent.

Ward of the State, as used in the IDEA, means a child who, as determined by the state where the child lives, is:

1. A foster child;
2. Considered a ward of the state under state law; or
3. In the custody of a public child welfare agency.

Ward of the State does not include a foster child who has a foster parent who meets the definition of a parent as used in IDEA.

Parental consent for services

The school district must obtain the parent's informed consent before providing special education and related services to the student for the first time. The school district must make reasonable efforts to obtain this informed consent.

If the parent does not respond to a request to provide such consent, if consent is refused or if the parent later revokes (cancels) consent in writing, the school district cannot use the procedural safeguards (i.e., mediation, due process complaint, resolution meeting or an impartial due process hearing) to obtain agreement or a ruling that the special education and related services may be provided without consent.

When the school district does not provide special education and related services because the parent refused to give consent for the student to receive special education and related services for the first time, did not respond to a request to provide such consent or revoked (cancelled) consent in writing, the district:

1. Is not in violation of the requirement to make a free, appropriate public education (FAPE) available to the student for its failure to provide those services; and
2. Is not required to have an IEP Team meeting or develop an IEP for the student.

If the parent revokes (cancels) consent in writing at any point after the student is first provided special education and related services, then the school district may not continue to provide such services, but must provide the parent prior written notice, as described under the heading PWN, before discontinuing the services.

Parental consent for reevaluations

The school district must obtain informed parental consent before it reevaluates a student, unless the school district can demonstrate that:

1. It took reasonable steps to obtain consent for reevaluation; and
2. The parent did not respond.

If the parent refuses consent for the reevaluation, the school district may, but is not required to, pursue the reevaluation by using the mediation or due process hearing procedures to seek to override the parent's refusal to consent to the reevaluation. As with initial evaluations, the school district does not violate its obligations under the IDEA if it does not pursue the reevaluation in this manner.

Documentation of reasonable efforts to obtain parental consent

The school district must keep records of reasonable efforts to obtain parental consent for initial evaluations, to provide special education and related services for the first time, to reevaluate and to locate parents of wards of the state for initial evaluations. The documentation must include a record of the school district's attempts in these areas, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parents and any responses received;
3. Detailed records of visits made to the parent's home or place of employment and the results of those visits.



Other consent requirements

Parental consent is not required before the school district may:

1. Review existing data as part of a student's evaluation or a reevaluation;
2. Give a test or other evaluation that is given to all students unless, before that test or evaluation, consent is required from parents of all students;
3. Conduct evaluations, tests, procedures or instruments that are identified on an IEP as a measure for determining progress toward IEP goals; or
4. Conduct a screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.

If the student is enrolled in a private school at parent expense, or if the student is home schooled, and the parent does not consent to the student's initial evaluation, or to reevaluation, or does not respond to a request for consent, the school district cannot use its consent override procedures (i.e., mediation, state complaint, resolution meeting or an impartial due process hearing) and is not required to consider the student eligible to receive equitable services (services made available to parentally-placed private school students with disabilities).

Independent Educational Evaluations

A parent has the right to obtain an independent educational evaluation (IEE) of the student if he or she disagrees with the evaluation conducted by the school district. If a parent requests an independent educational evaluation, the school district must provide information about where to obtain an IEE and about the school district's criteria that apply to independent educational evaluations.

Definitions

Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the school district responsible for the student's education.

Public expense means the school district either pays for the full cost of the evaluation or ensures the evaluation is otherwise provided at no cost to parents, consistent with the provisions of the IDEA, which allow each state to use whatever state, local, federal and private sources of support are available in the state to meet the requirements of the IDEA.



Parent right to evaluation at public expense

The parent who disagrees with a school district's evaluation has the right to an independent educational evaluation (IEE) of the student at public expense, subject to the following conditions:

1. If the parent requests an IEE of the student at public expense, the school district must, without unnecessary delay, either: (a) Request a due process hearing to show its evaluation is appropriate; or (b) Provide an IEE at public expense unless the district demonstrates in a hearing that the evaluation of the student obtained by the parent did not meet the school district's criteria.
2. If the school district requests a hearing and the final decision is that the school district's evaluation is appropriate, the parent still has the right to an IEE, but not at public expense.
3. If a parent requests an IEE of the student, the school district may ask why the parent objects to the school district's evaluation. However, the school district may not require an explanation and may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to defend the school district's evaluation.

The parent is entitled to only one IEE at public expense each time the school district conducts an evaluation of the student with which the parent disagrees.

Parent-initiated Evaluations

If a parent obtains an IEE at public expense or shares with the school district an evaluation obtained at private expense:

1. The school district must consider the results of the evaluation, if it meets the school district's criteria for an IEE, in any decision made with respect to the provision of a free appropriate public education (FAPE) to the student; and
2. The parent or the school district may present the evaluation as evidence at a due process hearing regarding the student.

If a parent/adult student asks the district to pay for an IEE that has already been obtained, the district must:

1. Pay for the IEE; or
2. Request WVDE mediation when parent agrees to mediate; and/or



3. Request a due process hearing within ten school days of the receipt of the evaluation report to show that the evaluation obtained by the parent/adult student did not meet the criteria for a publicly funded IEE; or
4. Request a due process hearing within ten school days to demonstrate that the district's evaluation was appropriate. The district does not have to pay for an IEE if the hearing officer finds for the district.

Requests for evaluations by a due process hearing officer

If a due process hearing officer requests an IEE of the student as part of a due process hearing, the cost of the evaluation must be at public expense.

School District Criteria

If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria the school district uses when it initiates an evaluation (to the extent those criteria are consistent with the parent's right to an IEE).

Except for the criteria described above, a school district may not impose conditions or timelines related to obtaining an IEE at public expense.

Confidentiality of Information

Definitions

As used under the heading **Confidentiality of Information**:

- **Destruction** means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- **Education records** means those records that are directly related to a student and are collected, maintained or disclosed by an educational agency or institution or by a party acting for the educational agency or institution. This term is further defined in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA) and Policy 4350: Procedures for the Collection, Maintenance and Disclosure of Student Information.
- **Personally identifiable** means information that has:
 - (a) The student's name, the name of the student's parent, or the name of another family member;
 - (b) The student's address;



- (c) A personal identifier, such as the student’s Social Security number or student number; or
- (d) A list of personal characteristics or other information that would make it possible to identify the student.

The rules for confidentiality apply to any “participating agency”, that is, any school district, agency or institution that collects, maintains or uses personally identifiable information, or from which information is obtained, under IDEA, Part B. This includes the West Virginia Department of Education (WVDE), school districts and other agencies under the general supervision of the West Virginia Board of Education. Because this document focuses on the parent’s involvement with the local school district, “school district” is used rather than the broader term, “participating agency”.

Notice to Parents

The WVDE must give notice that is adequate to fully inform parents about confidentiality of personally identifiable information, including:

1. A description of the extent to which the notice is given in the native languages of the various population groups in the state;
2. A description of the students on whom personally identifiable information is maintained, the types of information sought, the methods the state intends to use in gathering the information (including the sources from whom information is gathered) and the uses to be made of the information;
3. A summary of the policies and procedures participating agencies must follow regarding storage, disclosure to third parties, retention and destruction of personally identifiable information; and
4. A description of all of the rights of parents and students regarding this information, including the rights under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations in 34 CFR Part 99.

Before any major activity to identify, locate and evaluate students in need of special education and related services, (also known as “child find”) the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents throughout the state of the activities.



Access Rights

The school district must permit the parent (or adult student to whom rights have transferred) to inspect and review any education records relating to the student that are collected, maintained or used by the school district under the IDEA. The school district must comply with a parent's request to inspect and review a student's education records without unnecessary delay and before any meeting regarding an IEP or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after the parent made the request.

The right to inspect and review education records includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of the records;
2. The right to request the school district provide copies of the records if parents cannot effectively inspect and review the records unless they receive those copies; and
3. The right to have a representative inspect and review the records.

The school district may presume a parent has authority to inspect and review records relating to his or her child unless advised the parent does not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

Record of Access

Each school district must keep a record of parties obtaining access to education records collected, maintained or used under the IDEA (except access by parents and authorized employees of the district), including the name of the party, the date access was given and the purpose for which the party is authorized to use the records.

Records on more than one student

If any education record includes information on more than one student, the parent has the right to inspect and review only the information relating to his or her child or to be informed of that specific information.

List of types and locations of information

On request, the school district must provide parents with a list of the types and locations of education records collected, maintained or used by the agency.



Fees

The school district may charge a fee for copies of records made for a parent, if the fee does not effectively prevent the parent from exercising the right to inspect and review those records. A school district may not charge a fee to search for or to retrieve information from education records under Part B of IDEA.

Amendment of records at parent's request

If a parent believes that information in the education records regarding his or her child collected, maintained or used under the IDEA is inaccurate, misleading or violates the privacy or other rights of the student, the parent may request the school district to change the information. The school district must decide whether to change the information in accordance with the request within a reasonable period of time of receipt of the request. If the school district refuses to change the information as requested, it must inform the parent of the refusal and of the right to a hearing.

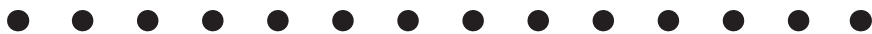
Opportunity for a hearing and results of a hearing

The school district must, on request, provide the parent an opportunity for a hearing to challenge information in a student's education records to ensure it is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student. A hearing to challenge information in education records must be conducted according to the procedures for such hearings under the Family Educational Rights and Privacy Act (FERPA) and Policy 4350.

If, as a result of the hearing, the school district decides the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must change the information and inform the parent in writing. If, as a result of the hearing, the school district decides the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must inform the parent of the right to place in the records it maintains on the student a statement commenting on the information or providing any reasons the parent disagrees with the decision of the school district.

The parent's explanation must:

1. Be maintained by the school district as part of the student's records as long as the record or contested portion is maintained by the school district, and
2. If the school district discloses the student's records or the challenged portion to any party, the explanation must also be disclosed to that party.



Consent for disclosure of personally identifiable information

Unless the information is contained in education records and the disclosure is authorized without parental consent under the Family Educational Rights and Privacy Act (FERPA), parent consent must be obtained before personally identifiable information is disclosed to parties other than officials of the student's school district who have a legitimate educational interest in the student's education, or to a school or district in which the student seeks to enroll. WVDE officials responsible for monitoring the requirements of IDEA also have access.

Parent consent, or the consent of an eligible student who has reached the age of majority under state law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

If the parent has enrolled the student in a private school that is not located in the same school district in which the parent resides, parent consent must be obtained before any personally identifiable information about the student is released between officials in the school district where the private school is located and officials in the school district where the parent resides.

Safeguards

Each school district must protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages. One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information. All persons collecting or using personally identifiable information must be trained in Policy 4350, which includes policies and procedures for confidentiality under the IDEA and the Family Educational Rights and Privacy Act (FERPA). Each school district must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

Destruction of Information

Parents (or adult students) must be informed when personally identifiable information collected, maintained or used is no longer needed to provide educational services to the student. The information must be destroyed at parent (or adult student) request. However, a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limitation.



Dispute Resolution

The West Virginia Department of Education (WVDE) provides four dispute resolution options to parents and school districts for resolving concerns: 1) Facilitated Individualized Education Program (IEP) Team meeting, 2) Mediation, 3) State Complaint, and 4) Impartial Due Process Complaint and Hearing, including a Resolution Session. WVDE provides additional information on all four processes on its website (<http://wvde.state.wv.us/osp/compliance>) and upon request.

A **Facilitated IEP Team meeting** is a voluntary early dispute prevention option utilizing an impartial facilitator to guide the IEP process during the meeting and to assist members of the IEP Team to communicate effectively. A student's IEP is developed by a collaborative team whose required members share responsibilities for the process, content and results. An IEP Facilitator provides assistance to the IEP Team before a potential conflict develops into a more serious dispute. The IEP Facilitator is an impartial third party, not a member of the IEP Team, and has no stake in decisions made by the team. A district, parent or adult student may request a Facilitated IEP Team meeting.

Mediation is a voluntary process for both parties in which WVDE assigns a trained third party to meet with the parent and school officials to resolve the issue(s) in dispute. If the issues are resolved, a written and legally binding agreement is signed by both parties. Only the parent, the school district or an attorney representing a party may request a mediation on any matter relating to a proposal or a refusal to initiate or change the identification, evaluation or educational placement of a student with an exceptionality or the provision of a free appropriate public education.

A **State Complaint** can be filed by a parent or any individual alleging a violation of any IDEA, Part B requirement by the school district, the WVDE or any other public agency. The WVDE staff must resolve a state complaint in writing within 60 calendar days of receipt unless the timeline is properly extended or the parent and district use the early resolution process to resolve the issues.

A **Due Process Complaint** is a written complaint which meets specific legal requirements and is filed with the WVDE to request a due process hearing. This is a one- tier process in which a hearing is conducted at the state level and appeals of the decision are made in state or federal court. An impartial due process hearing officer assigned by the WVDE conducts a formal hearing with



witnesses' testimony, presentation of evidence and cross examination. Parents and the district have a resolution period in which to have a meeting to attempt to resolve the issues. In addition, parties may agree to a mediation to resolve the issues prior to the hearing. An impartial due process hearing officer must hear a due process complaint (if not resolved through a resolution meeting or through mediation) and issue a written decision within 45 calendar days after the end of the resolution period, unless the due process hearing officer grants a specific extension of the timeline at the request of the parent or the school district. Both the district and parents are bound by the decision.

Facilitated IEP Team Meeting

The WVDE makes Facilitated IEP Team meetings available to parents and the school districts to assist in solving problems and developing an IEP to meet the student's needs to the mutual satisfaction of the participants.

A Facilitated IEP Team Meeting:

1. Is free, voluntary and must be agreed to by both parties;
2. May not be used to deny or delay a parent/adult student's right to a hearing or to deny any other rights afforded under IDEA, Part B;
3. Is assigned to a qualified facilitator on a rotational basis;
4. Is conducted by a qualified and impartial facilitator who is trained in facilitation techniques; and
5. Is scheduled in a timely manner and adheres to all required timelines.

The IEP Facilitator must not:

1. Be an employee of the WVDE or an employee of the district who is involved in the care and education of the student;
2. Have a personal or professional interest that conflicts with the facilitator's objectivity; or
3. Have a student enrolled in the district involved in the Facilitated IEP Team meeting.

Mediation

The WVDE makes mediation available to allow parents and the school district to resolve disagreements involving any matter under the IDEA, Part B, including matters arising before the filing of a due process complaint. Mediation is available whether or not a due process hearing complaint has been filed. A parent or school district may submit a written request for mediation to the WVDE, which maintains



a list of qualified mediators who know the laws and regulations relating to the provision of special education and related services. The WVDE selects mediators on a rotational basis. The WVDE is responsible for the cost of the mediation process, including meetings to encourage mediation.

Mediation:

1. Is voluntary for parents and the school district;
2. May not be used to deny or delay the parent's right to a due process hearing, or to deny any other rights under the IDEA; and
3. Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

The school district may develop procedures to offer parents and school districts that choose not to use the mediation process an opportunity to meet, at a time and location convenient to the parents, with a disinterested party:

1. Who is under contract with an appropriate alternative dispute resolution entity, or a parent training and information center or community parent resource center in the state, and
2. Who would explain the benefits and encourage the use of the mediation process to the parent.

Each meeting in the mediation process must be scheduled in a timely manner and held at a place that is convenient for the parent and the school district.

If the parent and the school district resolve a dispute through mediation, both parties must enter into a legally binding agreement that states the resolution and:

1. States all discussions that happened during the mediation process will remain confidential and may not be used as evidence in any later due process hearing or court proceeding, and
2. Is signed by both the parent and a representative of the school district who has the authority to bind the school district to the agreement.

A written, signed mediation agreement is enforceable in any state court that has the authority under state law to hear this type of case or in a federal district court.

Discussions that happened during the mediation process must be confidential. They cannot be used as evidence in any future due process hearing or civil proceeding in any federal or state court.



Impartiality of the mediator

The mediator:

1. May not be an employee of the WVDE or the school district involved in the education or care of the student, and
2. Must not have a personal or professional interest which conflicts with the mediator's objectivity.

A person who otherwise qualifies as a mediator is not an employee of the WVDE solely because the person is paid by the WVDE to serve as a mediator.

State Complaint

The WVDE has written procedures for:

1. Filing a complaint with the WVDE;
2. Resolving any special education complaint, including a complaint filed by an organization or individual from another state;
3. Disseminating the state complaint procedures to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers and other appropriate entities.

Filing a State Complaint

An organization or individual, including one from another state, may file a signed, written state complaint by sending a request to:

West Virginia Department of Education, Office of Federal Programs
1900 Kanawha Boulevard, East, Building 6
Charleston, WV 25305

The complaint must include:

1. A statement that a school district or other public agency has violated a requirement of Part B of IDEA or its regulations;
2. The facts on which the statement is based;
3. The signature and contact information for the complainant; and
4. If alleging violations regarding a specific student:
 - (a) The name of the student and address of the residence of the student;
 - (b) The name of the school the student is attending;
 - (c) In the case of a homeless student, available contact information for the child and the name of the school the student is attending;



- (d) A description of the nature of the problem, including facts relating to the problem; and
- (e) A proposed resolution of the problem to the extent known and available to the party filing the complaint at the time the complaint is filed.

The complaint must allege a violation that occurred not more than one year before the date the complaint is received. The party filing the complaint must forward a copy of the complaint to the school district or other public agency serving the student at the same time the party files the complaint with the WVDE.

Timelines

The WVDE's complaint procedures include a timeline of 60 calendar days from the date the WVDE receives a complaint that it determines to be sufficient. The WVDE will:

1. Give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint;
2. Provide the school district (or other public agency involved) the opportunity to respond to the complaint, including, at a minimum: (a) at the option of the agency, a proposal to resolve the complaint, and (b) an opportunity for a parent who has filed a complaint and the agency to agree voluntarily to try early resolution and / or mediation;
3. Carry out an independent investigation, on-site if necessary;
4. Review all relevant information and make an independent determination as to whether the school district or other public agency is violating a requirement of Part B of the IDEA; and
5. Issue a written decision that addresses each allegation in the complaint with (a) findings of fact and conclusions, and (b) the reasons for the WVDE's final decision.

The WVDE's complaint process:

1. Permits an extension of the 60-calendar-day timeline only if: (a) exceptional circumstances exist with respect to a particular state complaint, or (b) the parent and the school district or other public agency involved voluntarily agree to extend the time to engage in mediation or alternative means of dispute resolution.
2. Includes procedures for effective implementation of the WVDE's final decision, if needed, including: (a) technical assistance activities; (b) negotiations, and (c) corrective actions to achieve compliance.



Early resolution of state complaints

Either the parent or the school district may request early resolution of a state complaint by contacting the other party and participating in a local conference, which is voluntary for both parties. If early resolution is reached on any or all allegations in the complaint within fifteen days of being notified of the receipt of the state complaint, the school district submits the signed Verification of Early Resolution form and the complaint is considered resolved. Allegations not resolved will be investigated using the procedures described above.

State complaints and due process hearings

If a state complaint is received that is also the subject of a due process complaint, or the complaint has multiple issues of which one or more are part of a due process complaint, the WVDE must set aside the state complaint, or any part of the complaint that is being addressed in the due process hearing, until the hearing is over. Any issue in the complaint that is not a part of the due process hearing must be resolved using the time limit and procedures described above. If an issue raised in a complaint has previously been decided in a due process hearing involving the same parties (the parent and the school district), then the due process hearing decision is binding on that issue and the WVDE must inform the complainant that the decision is binding. A complaint alleging a school district's or other public agency's failure to implement a due process hearing decision must be resolved through the state complaint procedures by the WVDE.

Remedies for denial of appropriate services

In resolving a state special education complaint in which the WVDE has found a failure to provide appropriate services, the WVDE must address:

1. The district's failure to provide appropriate services, including corrective action appropriate to address the needs of the student, and
2. Appropriate future provision of services for all students with disabilities.



Due Process Hearing Complaint

Filing a due process complaint

A parent or the school district may file a due process complaint on any matter relating to the identification, evaluation or educational placement of a student or the provision of a FAPE. The due process complaint must allege a violation that happened not more than two years before the parent or the school district knew or should have known about the alleged action that forms the basis of the due process complaint.

This timeline does not apply if the parent could not file a due process complaint within the timeline because:

1. The school district specifically misrepresented it had resolved the issues identified in the complaint, or
2. The school district withheld information from the parent it was required to provide under the IDEA, Part B.

The WVDE will inform parents of any free or low-cost legal and other relevant services available in the area when a due process complaint is filed. The complaint must contain all of the content listed below and must be kept confidential. The party filing the complaint, or the attorney representing the party, must forward a copy of the complaint to the other party and to the WVDE.

The burden of proof will be on the party seeking relief in accordance with the decision in *Shaffer v. Weast*, 546 U.S. 49, 126 S. Ct. 528, 163L. Ed.2d 387 (2005).

Content of the due process complaint

The due process complaint must include:

1. The name of the student;
2. The address of the student's residence;
3. The name of the student's school;
4. If the student is a homeless child or youth, the student's contact information and the name of the student's school;
5. A description of the nature of the problem of the student relating to the proposed or refused action, including facts relating to the problem; and
6. A proposed resolution of the problem to the extent known and available to the parent or the school district at the time.



The parent or the school district may not have a due process hearing until the party requesting the hearing (or the parent's or the school district's attorney) files a due process complaint that includes this information.

Sufficiency of the due process complaint

For a due process complaint to go forward, it must be sufficient. The due process complaint request will be considered sufficient (to have met the content requirements above) unless the party receiving it (the parent or the school district) notifies the due process hearing officer and the other party in writing, within 15 calendar days of receiving the complaint, that the receiving party believes the hearing request does not meet the requirements listed above. Within 5 calendar days of receiving this notice, the hearing officer must decide if the complaint meets the requirements listed above and notify the parent and the school district in writing immediately.

Amendment of the due process complaint

The parent or the school district may make changes to the due process complaint request only if:

1. The other party consents to the amendment in writing and is given the chance to resolve the due process complaint through a resolution meeting, or
2. By no later than 5 days before the due process hearing begins, the due process hearing officer grants permission for the amendment.

If a party amends the due process complaint, the 15 day timeline for the resolution meeting and the 30 day timeline for the resolution period start again on the date the amended complaint is filed.

School district response to a due process complaint

If the school district has not given the parent a PWN regarding the subject matter in the parent's due process complaint, the school district must, within 10 calendar days of receiving the due process complaint, send the parent a response that includes:

1. An explanation of why the school district proposed or refused to take the action raised in the due process complaint;
2. A description of other options the student's IEP Team considered and the reasons why those options were rejected;
3. A description of each evaluation procedure, assessment, record or report the school district used as the basis for the proposed or refused action; and
4. A description of the other factors that are relevant to the school district's proposed or refused action.



Providing the information in items 1-4 above does not prevent the school district from stating a due process complaint was insufficient.

Other party response to a due process complaint

Except as stated immediately above, the party receiving a due process complaint must, within 10 days of receiving the complaint, send the other party a response that specifically addresses the issues in the complaint.

WVDE forms

The WVDE has forms for accessing all of the dispute resolution processes. These forms are not required, but any other form or letter used must include the required information.

Placement while the due process hearing is pending

Except as provided below under the heading **Procedures When Disciplining Students with Disabilities**, once a due process complaint is sent to the other party, during the resolution period and while waiting for the decision of any impartial due process hearing or court proceeding, unless the parent and the state or the school district agree otherwise, the student must remain in his or her current educational placement.

If the due process complaint involves an application for initial admission to public school, the student, with parent consent, must be placed in the regular public school program until the completion of all such proceedings. If the due process complaint involves an application for initial services under IDEA, Part B for a child who is transitioning from being served under Part C of the IDEA to Part B of the IDEA and who is no longer eligible for Part C services because the child has turned three, the school district is not required to provide the Part C services the child has been receiving. If the child is found eligible under IDEA, Part B and the parent consents for the child to receive special education and related services for the first time, then, pending the outcome of the proceedings, the school district must provide those special education and related services that are not in dispute (those to which the parent and the school district both agree).

If the hearing officer in a due process hearing conducted by WVDE agrees with the parent that a change of placement is appropriate, that placement must be treated as the student's current educational placement where the student will remain while waiting for the decision of the impartial due process hearing officer or court proceeding.



Resolution Process

Resolution Meeting

Within 15 days of receiving a parent's due process complaint, and before the due process hearing begins, the school district must hold a resolution meeting with the parent and the relevant members of the IEP Team who have specific knowledge of the facts identified in the due process complaint. The parent and the school district determine the relevant members of the IEP Team to attend the meeting.

The meeting:

1. Must include a representative of the school district who has decision-making authority on behalf of the school district; and
2. May not include an attorney of the school district unless the parent brings an attorney.

The purpose of the meeting is for the parent to discuss the due process complaint and the facts that form the basis of the request, so the school district has the opportunity to resolve the dispute. The resolution meeting is not necessary if:

1. The parent and the school district agree in writing to waive the meeting, or
2. The parent and the school district agree to try mediation, as described under the heading Mediation.

Note: A resolution meeting is not necessary when the district submits a due process complaint.

Resolution period

If the school district has not resolved the due process complaint to the parent's satisfaction within 30 days of receiving the request (the resolution period), the due process hearing may occur. Except as provided below, the 45 day timeline for issuing a final decision begins at the end of the 30 day resolution period.

Unless the parent and the school district have both agreed to waive the resolution process or to use mediation, a parent's failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held. If, after making reasonable efforts and documenting such efforts, the school district is not able to obtain parent participation in the resolution meeting, the school district may, at the end of the 30-day resolution period, request the due process hearing officer dismiss the due



process complaint. Documentation of the district's efforts must include a record of attempts to arrange a mutually agreed upon time and place, such as:

1. Detailed records of telephone calls made or attempted and the results of those calls;
2. Copies of correspondence sent to the parent and any responses received; and
3. Detailed records of visits made to the home or parent's place of employment and the results of those visits.

If the school district does not hold the resolution meeting within 15 days of receiving notice of the due process complaint or does not participate in the resolution meeting, the parent may ask the due process hearing officer to begin the 45-day due process hearing timeline. If the parent and the school district agree in writing to waive the resolution meeting, then the 45-day timeline for the due process hearing starts the next day.

Adjustments to the 30 day resolution period

After the start of mediation or the resolution meeting and before the end of the 30-day resolution period, if the parent and the school district agree in writing that no agreement is possible, then the 45 day timeline for the due process hearing starts the next day. If the parent and the school district agree to try mediation, at the end of the 30 day resolution period, both parties can agree in writing to continue the mediation process until an agreement is reached. However, if either the parent or the school district withdraws from the mediation process, then the 45 day timeline for the due process hearing starts the next day.

Written Settlement Agreement

If a resolution to the dispute is reached at the resolution meeting, the parent and the school district must enter into a legally binding agreement that is:

1. Signed by the parent and a representative of the school district who has the authority to bind the school district, and
2. Enforceable in any state court of competent jurisdiction (a state court that has authority to hear this type of case) or in a federal district court.

Agreement Review Period

If the parent and the school district enter into an agreement as a result of a resolution meeting, either party may void the agreement within 3 business days of the time both parties signed the agreement.



Impartial Due Process Hearing Officer

Whenever a due process complaint is filed, the parent or the school district involved in the dispute must have an opportunity for an impartial due process hearing, as described above and in this section, conducted by an impartial due process hearing officer. At a minimum, a due process hearing officer:

1. Must not be an employee of the WVDE or the school district that is involved in the education or care of the student. A person is not an employee of the WVDE solely because the person is paid by the WVDE to serve as a due process hearing officer;
2. Must not have a personal or professional interest that conflicts with the due process hearing officer's objectivity in the hearing;
3. Must be knowledgeable and understand the provisions of the IDEA, federal and state regulations pertaining to the IDEA and legal interpretations of the IDEA by federal and state courts; and
4. Must have the knowledge and ability to conduct hearings and to make and write decisions, consistent with appropriate, standard legal practice.

The WVDE keeps a list of those persons who serve as due process hearing officers and a statement of the qualifications for each one.

Subject matter of due process hearing

The party (parent or the school district) that requests the due process hearing may not raise issues at the due process hearing that were not addressed in the due process complaint, unless the other party agrees.

Hearing Rights

Any party to a due process hearing (including a hearing relating to IDEA disciplinary procedures) has the right to:

1. Be accompanied and advised by a lawyer and/or persons with special knowledge or training regarding the problems of students with exceptionalities;
2. Present evidence and confront, cross-examine and require the attendance of witnesses;
3. Object to the introduction of any evidence at the hearing that has not been disclosed to that party at least 5 business days before the hearing;
4. Obtain a written, or, at the parent's option, electronic, word-for-word record of the hearing; and
5. Obtain written, or, at the parent's option, electronic findings of fact and decisions.



At least 5 business days before a due process hearing, the parent and the school district must disclose to each other all evaluations completed by that date and recommendations based on those evaluations they intend to use at the hearing. A due process hearing officer may bar any party that does not comply with this requirement from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

Parental rights at hearings

The parent must be given the right to:

1. Have the student present at the hearing;
2. Open the hearing to the public; and
3. Have the record of the hearing, the findings of fact and decisions provided at no cost.

Timelines and convenience of hearings

The WVDE ensures not later than 45 days after the end of the 30 day period for resolution meetings or, as described under the subheading Adjustments to the 30 day resolution period, not later than 45 days after the end of the adjusted time period:

1. A final decision is reached in the hearing, and
2. A copy of the decision is mailed to each of the parties.

A due process hearing officer may grant specific extensions of time beyond the 45 day time period at the request of either party. Each hearing must be conducted at a time and place that is reasonably convenient to the parent and student.

Separate request for a due process hearing

Nothing in the procedural safeguards section of the federal regulations under IDEA, Part B (34 CFR §§300.500 through 300.536) prevents a parent from filing a separate due process complaint on an issue separate from a due process complaint already filed.

Hearing Decision

A due process hearing officer's decision on whether a student received a free appropriate public education (FAPE) must be based on evidence and arguments directly relating to FAPE. In matters alleging a procedural violation, a due process hearing officer may find that the student did not receive FAPE only if the procedural inadequacies:



1. Impeded the student's right to FAPE;
2. Significantly impeded the parent's opportunity to participate in the decision-making process regarding the provision of FAPE to the student; or
3. Caused a deprivation of an educational benefit.

These provisions do not prevent a due process hearing officer from ordering a school district to comply with the requirements in the procedural safeguards section of the IDEA regulations (34 CFR §§300.500 through 300.537).

Findings and decision to the advisory panel and general public

The WVDE, after deleting any personally identifiable information:

1. Provides the findings and decisions in the due process hearing to the West Virginia Advisory Council for the Education of Exceptional Children; and
2. Makes those findings and decisions available to the public.

Finality of the hearing decision

A decision made in a due process hearing (including a hearing relating to IDEA disciplinary procedures for students with disabilities) is final, except that any party involved in the hearing may appeal the decision by bringing a civil action in court, as described below.

Civil actions, including the time period to file

A party (the parent or the school district) who does not agree with the findings and decision in the due process hearing (including a hearing relating to IDEA disciplinary procedures for students with disabilities) has the right to bring a civil action with respect to the matter that was the subject of the due process hearing. The action may be brought in a state court of competent jurisdiction (a state court that has authority to hear this type of case) or in a federal district court without regard to the amount in dispute.

Time limitation

The party bringing the action has 90 calendar days from the date of the decision of the due process hearing officer to file a civil action.



Additional procedures

In any civil action, the court:

1. Receives the records of the administrative proceedings;
2. Hears additional evidence at the request of either party; and
3. Bases its decision on the preponderance of the evidence and grants the relief the court determines to be appropriate.

Jurisdiction of district courts

The district courts of the United States have authority to rule on actions brought under Part B of the IDEA without regard to the amount in dispute.

Rule of Construction

Nothing in IDEA, Part B restricts or limits the rights, procedures and remedies available under the U.S. Constitution, the Americans with Disabilities Act of 1990, Title V of the Rehabilitation Act of 1973 (Section 504) or other federal laws protecting the rights of students with disabilities, except that before the filing of a civil action under these laws seeking relief that is also available under IDEA, Part B, the due process procedures described above must be exhausted to the same extent as would be required if the party filed the action under IDEA, Part B.

This means the party may have remedies available under other laws that overlap with those available under IDEA, but in general, to obtain relief under those other laws, the available administrative remedies under IDEA (i.e., the state complaint process; resolution process, including the resolution meeting; and impartial due process hearing procedures) must be used first, before going directly into court.

Attorneys' Fees

In any action or proceeding brought under IDEA, Part B, the court, in its discretion, may award reasonable attorneys' fees as part of the costs to:

1. The parent who is the prevailing party;
2. To the WVDE or a school district as a prevailing party, to be paid by the parent's attorney, if the attorney: (a) filed a due process complaint or court case the court finds is frivolous, unreasonable, or without foundation, or (b) continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or
3. To the WVDE or a school district as a prevailing party, to be paid by the parent or the parent's attorney, if the request for a due process hearing or later court case was presented for any improper purpose, such as to harass, to cause unnecessary delay or to unnecessarily increase the cost of the action or proceeding.

A court awards reasonable attorneys' fees as follows:

1. Fees must be based on rates prevailing in the community in which the action or hearing arose for the kind and quality of services furnished. No bonus or multiplier may be used in calculating the fees awarded.
2. Fees may not be awarded and related costs may not be reimbursed in any action or proceeding under IDEA, Part B for services performed after a written offer of settlement to the parent if:
 - (a) The offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedure or, in the case of a due process hearing, at any time more than 10 calendar days before the proceeding begins;
 - (b) The offer is not accepted within 10 calendar days; and
 - (c) The court finds the relief finally obtained by the parent is not more favorable than the offer of settlement. Despite these restrictions, an award of attorneys' fees and related costs may be made to the parent who prevails and was substantially justified in rejecting the settlement offer.
3. Fees may not be awarded relating to any meeting of the IEP Team, including resolution meetings, unless the meeting is held as a result of a due process decision or judicial action.
4. A resolution meeting is not considered a meeting convened as a result of an administrative hearing or court action and also is not considered an administrative hearing or court action for purposes of these attorneys' fees provisions.

The court reduces, as appropriate, the amount of the attorneys' fees awarded under IDEA, Part B, if the court finds that:

1. The parent or parent's attorney, during the course of the action or proceeding, unreasonably delayed the final resolution of the dispute;
2. The amount of the attorneys' fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably similar skill, reputation and experience;
3. The time spent and legal services furnished were excessive considering the nature of the action or proceeding; or
4. The attorney representing the parent did not provide to the school district the appropriate information in the due process complaint.



However, the court may not reduce fees if the court finds the state or school district unreasonably delayed the final resolution of the action or proceeding or there was a violation under the procedural safeguards provisions of IDEA, Part B.

Procedures When Disciplining Students with Disabilities

Authority of School Personnel

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a student with a disability who violates the student code of conduct. To the extent they also take disciplinary action for students without disabilities, school personnel may, for not more than 10 consecutive school days, remove a student with a disability who violates the student code of conduct from the current placement to an appropriate interim alternative educational setting, another setting or suspension. School personnel also may impose additional removals of the student of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement. (See Change of Placement, below)

Once a student with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, the school district must, during any later days of removal in that school year, provide services to the extent required below under Services.

If the behavior that violated the student code of conduct was not a manifestation of the student's disability (see Manifestation Determination, below) and the disciplinary change of placement would exceed 10 consecutive school days, school personnel may apply the disciplinary procedures to that student with a disability in the same manner and for the same duration as it would to students without disabilities, except that the school must provide services to that student. The student's IEP Team determines appropriate services to be provided as set forth in the student's IEP.

Services

The services that must be provided to a student with a disability who has been removed from the student's current placement may be provided in an Interim Alternative Educational Setting (IAES). A school district is only required to provide

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services to a student with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a student without disabilities who has been similarly removed. Districts typically do not provide such services.

A student with a disability who is removed from the student's current placement for more than 10 school days must:

1. Continue to receive educational services to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the student's IEP, and
2. Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so it does not happen again.

After a student with a disability has been removed from his or her current placement for 10 school days in that same school year, and if the current removal is for 10 consecutive school days or less and if the removal is not a change of placement (see Change in Placement, below), then school personnel, in consultation with at least one of the student's teachers, determine the extent to which services are needed to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. Decisions made must be documented on the Disciplinary Action Review Form (DARF). If the removal is a change of placement, the student's IEP Team determines the appropriate services to meet the above requirements.

Manifestation Determination

Within 10 school days of any decision to change the placement of a student with a disability because of a violation of the student code of conduct (see Change of Placement, below), the school district, the parent and relevant members of the IEP Team (as determined by the parent and the school district) must review all relevant information in the student's file, including the student's IEP, any teacher observations and any relevant information provided by the parent to determine:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability, or
2. If the conduct in question was the direct result of the school district's failure to implement the student's IEP.

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If the school district, the parent and relevant members of the student's IEP Team determine either of those conditions was met, the conduct must be found to be a manifestation of the student's disability. If they determine the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate action to remedy those deficiencies.

If the conduct was a manifestation of the student's disability, the IEP Team must either:

1. Conduct a functional behavioral assessment, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the student, or
2. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under special circumstances, the school district must return the student to the placement from which the student was removed, unless the parent and the district agree to a change of placement as part of the modification of the behavioral intervention plan.

Special Circumstances

Whether or not the behavior was a manifestation of the student's disability, school personnel may remove a student to an IAES (determined by the student's IEP Team) for up to 45 school days, if the student:

1. Carries a weapon to school or has a weapon at school, on school premises or at a school function under the jurisdiction of the WVDE or a school district;
2. Knowingly has or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the jurisdiction of the WVDE or a school district; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of the WVDE or a school district.

Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).



Illegal drug means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

Serious bodily injury has the meaning given the term “serious bodily injury” under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

Weapon has the meaning given the term “dangerous weapon” under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

Parent Notice

On the date the school district makes the decision to make a removal that is a change of placement of the student because of a violation of the student code of conduct, the school district must notify the parents of that decision and provide the parents with this notice of procedural safeguards.

Change of placement because of disciplinary removals

A removal of a student with a disability from the student’s current educational placement is a change of placement if:

1. The removal is for more than 10 consecutive school days; or
2. The student has had a series of removals that constitute a pattern because:
 - (a) The series of removals totals more than 10 school days in a school year;
 - (b) The student’s behavior is substantially (for the most part) similar to the student’s behavior in previous incidents that resulted in the series of removals; and
 - (c) Of such additional factors as the length of each removal, the total amount of time the student has been removed and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case- by-case basis by the school district and, if challenged, is subject to review through due process and judicial proceedings. The IEP Team determines the IAES for removals that are changes of placement, and removals under the subheadings authority of school personnel and special circumstances.



Appeal

The parent of a student with a disability may file a due process complaint to request a due process hearing if he or she disagrees with:

1. Any decision regarding placement made under these discipline provisions, or
2. The manifestation determination described above.

The school district may file a due process complaint if it believes maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

Expedited due process hearing for disciplinary removal or manifestation determination

Whenever a parent or a school district files a due process complaint to request a due process hearing, a hearing must be held that meets the requirements described under the heading Due Process Hearing Complaint, except as follows:

1. The WVDE must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is requested and must result in a determination within 10 school days after the hearing.
2. Unless the parents and the school district agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing by bringing civil action in a state court of competent jurisdiction or a U.S. district court.

Authority of an impartial due process hearing officer

An impartial due process hearing officer who meets the requirements above under the subheading impartial due process hearing officer, must conduct the due process hearing and make a decision. The due process hearing officer may:

1. Return the student with a disability to the placement from which the student was removed if the due process hearing officer determines the removal was a violation of the discipline requirements or that the student's behavior was a manifestation of the student's disability; or



2. Order a change of placement of the student with a disability to an appropriate IAES for not more than 45 school days if the due process hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

These hearing procedures may be repeated if the school district believes returning the student to the original placement is substantially likely to result in injury to the student or to others.

Placement during appeals

When the parent or school district has filed a due process complaint related to disciplinary matters, the student must (unless the parent and school district agree otherwise) remain in the IAES pending the decision of the hearing officer, or until the expiration of the time period of removal as provided for and described under the heading Authority of School Personnel, whichever occurs first.

Protections for Students Not Yet Eligible for Special Education and Related Services

If a student has not been determined eligible for special education and related services and violates the student code of conduct, but the school district had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred that the student was a student with a disability, then the student may assert any of the protections described in this notice.

Basis of knowledge for disciplinary matters

A school district must be deemed to have knowledge that a student is a student with a disability if, one or more of the following is true:

1. The parent/adult student has expressed concern to district professional personnel that results in written documentation, that the student may need special education and related services.
2. The parent/adult student has requested in writing that the student be evaluated for special education.
3. The student's teacher or other school district personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the school district's director of special education or to other supervisory personnel of the school district in accordance with the district's established child find system and referral process.



These protections may apply if a request for evaluation of a student who is not currently eligible for special education is made during the period in which the student is subject to disciplinary measures.

No basis of knowledge

These protections are not afforded to students who:

1. Are solely eligible under the category of gifted; and
2. When there is no basis of knowledge that a student has a disability because one or more of the following is true:
 - (a) an evaluation was conducted and a determination was made that the student did not have a disability;
 - (b) the parent/adult student did not give written consent for an evaluation; or
 - (c) the parent/adult student refused special education services.

If before taking disciplinary measures against the student, a school district does not have knowledge that a student is a student with a disability (as described above), the student may be given the disciplinary measures that are applied to students without disabilities who engaged in the same type of behaviors. However, if a request is made for an evaluation of a student during the time period in which the student is given disciplinary measures, the evaluation must be conducted in an expedited manner (more quickly than otherwise).

Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion. If the student is determined to be a student with a disability, taking into consideration information from the evaluation conducted by the school district and information provided by the parents, the school district must provide special education and related services in accordance with the IDEA, including the disciplinary requirements described above.

Referral to and action by law enforcement and judicial authorities

The IDEA does not:

1. Prohibit an agency from reporting a crime committed by a student with a disability to appropriate authorities, or
2. Prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with a disability.



If a school district reports a crime committed by a student with a disability, the school district must ensure copies of the student's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime, but only to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

Unilateral Placement by Parents of Students in Private Schools at Public Expense

The IDEA does not require a school district to pay for the cost of education, including special education and related services, of a student with a disability at a private school or facility if the school district made FAPE available and the parent chose to place the student in a private school or facility. However, the school district where the private school is located must include the student in the population whose needs are addressed under the IDEA provisions regarding students who have been placed by their parents in a private school under 34 CFR §§300.131-300.144.

Reimbursement for private school placement

If the student previously received special education and related services under the authority of a school district, and the parent chooses to enroll the student in a private preschool, elementary or secondary school without the consent of or referral by the school district, a court or a due process hearing officer may require the agency to reimburse the parent for the cost of that enrollment if the court or due process hearing officer finds the agency had not made FAPE available in a timely manner before that enrollment and that the private placement is appropriate. A due process hearing officer or court may find the placement to be appropriate, even if the placement does not meet the state standards that apply to education provided by the WVDE and school districts.



Limitation on reimbursement

The cost of reimbursement described in the paragraph above may be reduced or denied:

1. If: (a) at the most recent IEP Team meeting the parent attended prior to removing the student from the public school, the parent did not inform the IEP Team that he or she was rejecting the placement proposed by the school district to provide FAPE to the student, including stating the parent's concerns and intent to enroll the student in a private school at public expense; or (b) At least 10 business days (including any holidays that occur on a business day) before removing the student from the public school, the parent did not give written notice to the school district of that information;
2. If, before removing of the student from the public school, the school district provided the parent prior written notice of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parent did not make the student available for the evaluation; or
3. Upon a court's finding that the parent's actions were unreasonable.

However, the cost of reimbursement:

1. Must not be reduced or denied for failure to provide the notice if: (a) the school prevented the parent from providing the notice; (b) the parent had not received notice of the responsibility to provide the notice described above; or (c) compliance with the requirements above would likely result in physical harm to the student; and
2. May, in the discretion of the court or a due process hearing officer, not be reduced or denied for the parent's failure to provide the required notice if: (a) the parent is not literate or cannot write in English; or (b) compliance with the above requirement would likely result in serious emotional harm to the student.



NOTICE TO PARENTS PARENTAL CONSENT TO ACCESS PUBLIC BENEFITS OR INSURANCE (E.G, MEDICAID)

This notice informs parents of the Individuals with Disabilities Education Act of 2004 (IDEA) regulations at 34 CRF §300.154, effective March 18, 2013, regarding written notification and parent consent to access public benefits or insurance, such as Medicaid. Before the school district accesses the parent’s or child’s Medicaid or other publicly funded benefits for the first time to seek reimbursement for services provided to an eligible student, and annually thereafter, this written notice is provided to inform parents of the following:

- A prior written parental consent will be requested to release personal information from a child’s education records or information about the services that may be provided for the purpose of billing Medicaid or another specific agency for Individualized Education Program (IEP) services.
 - The consent form will state the student’s personal education records and information that will be disclosed, the purpose of the disclosure (e.g. Medicaid billing) and the agency to which the records will be released. By consenting, parents state they understand and agree that their or their child’s public benefits or insurance will be accessed to reimburse the cost of services.
 - Parents cannot be required to sign up for or enroll in public benefits or insurance programs for their child to receive free appropriate public education, that is, IEP services.
 - Parents are not required to pay out-of-pocket expense such as a deductible or co-pay amount resulting from filing a claim, but may pay the cost that otherwise would be paid by parents.
 - Parents must be informed that their public benefits or insurance (e.g., Medicaid) will not be billed if it would:
 - » result in a decrease in lifetime benefits;
 - » result in the child’s parents paying for services that would otherwise be covered and that are needed for the child outside of the time the child is in school;
 - » result in an increase in premiums or discontinuation of public benefits or insurance; or
 - » risk loss of eligibility for home and community-based waivers based on the total (aggregated) health-related expenditures for the child or the child’s parents.
 - Parents have the right to withdraw consent to disclose their child’s personal information for billing purposes at any time.
 - Parents’ withdrawal of consent, or refusal to provide consent, to release their child’s personal information for purposes of accessing their public benefits or insurance (e.g., for Medicaid billing) does not relieve the school district of its responsibility to ensure that all required IEP services are provided at no cost to parents.
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For further information contact:

County Director of Special Education
County Board of Education Office
County Parent/Educator Resource Center

State complaints, mediations and due process hearing complaints may be filed with:

**West Virginia Department of Education
Office of Federal Programs**

Bldg. 6
1900 Kanawha Blvd. E.
Charleston, WV 25305

(800) 642-8541 toll free
(304) 558-7805 or (304) 558-2696 telephone
(304) 558-3741 fax

<http://wvde.state.wv.us/osp/>



Steven L. Paine, Ed.D.
West Virginia Superintendent of Schools

Jefferson County Schools
2019-2020 Grading and Reporting Periods

First 9-Week Period

Grading Period Begins Monday, August 19	Mid-point of 9 weeks Wednesday, September 18
Grading Periods Ends Friday, October 18	Report Cards Issued Friday, October 25

44

Second 9-Week Period

Grading Period Begins Monday, October 21	Mid-point of 9 weeks Wednesday, November 13
Grading Periods Ends Thursday, December 19	Report Cards Issued Friday, January 10

39

Third 9-Week Period

Grading Period Begins Monday, January 6	Mid-point of 9 weeks Wednesday, February 5
Grading Periods Ends Friday, March 13	Report Cards Issued Friday, March 20

48

Fourth 9-Week Period

Grading Period Begins Monday, March 16	Mid-point of 9 weeks Wednesday, April 22
Grading Periods Ends Friday, May 29	Report Cards Issued Friday, May 29

49

Schools may issue interims in a “+” or “-” three-day window around mid-point (4 ½ week point). Principals are to notify/publish the interim distribution window for parents and students.

SCHOOL CALENDAR - 2019-2020 School Year

 Using Equivalent Time Option Yes

 For Jefferson County Schools

WVEIS: _____

Month	September					October					November					December					January					February					March					April					May					Instructional Days	Compensated Not Taught Days	Total Employment Days										
	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday	Monday	Tuesday	Wednesday	Thursday	Friday													
First						CD	CD	CD	P																																															15	5	20
Second																																																								20	0	20
Third																																																								20	0	20
Fourth																																																								17	3	20
Fifth																																																								17	3	20
Sixth																																																								19	1	20
Seventh																																																								20	0	20
Eighth																																																								19	1	20
Ninth																																																								19	1	20
Tenth																																																			14	6	20					

First and Last Dates		Faculty Senate Meetings		2019-2020 School Holidays Within Instructional Term		Noninstructional Days - Recap		Totals	180	20	200	
08/13/19	First day employment term	08/16/19	1st meeting	(West Virginia Code §18A-5-2) September 2, Labor Day November 11, Veteran's Day November 28, Thanksgiving Day December 25, Christmas Day January 1, New Years Day January 20, Martin Luther King Jr.'s Birthday May 25, Memorial Day		CD	3	Out-of-Calendar (Non-paid) Days Maximum number of out-of-calendar days possible is 40 in order that the 200 day employment term does not exceed 48 weeks. Out-of-calendar days must be used to make-up canceled instructional days, if non-instructional days are not adequate, however, since June 20th is a school holiday, it cannot be used for make-up if its use causes the total number of holidays to exceed seven.				
08/19/19	First day instructional term	10/23/19	2nd Meeting			P	2					
10/10/19	Last day of second month	12/20/19	3rd Meeting			PL	5					
12/20/19	Last day first semester	02/14/20	4th Meeting			TP	1					
06/02/20	Last day instructional term	04/03/20	5th Meeting			OS	6					
06/09/20	Last day employment term	06/02/20	6th Meeting			E	1					
				May 12, 2020, Primary Election Day		H	7					
						PM	0					
						ET	0					
						FS	2					
						NT	0					
						20 Total Noninstructional Days						

Dates of Graduation				Date		Name of County Superintendent	
School <u>JHS</u>	Graduation date <u>5/17/2020</u>	School _____	Graduation date _____	_____		_____	
School <u>WHS</u>	Graduation date <u>5/17/2020</u>	School _____	Graduation date _____				
School _____	Graduation date _____	School _____	Graduation date _____				
School _____	Graduation date _____	School _____	Graduation date _____				

2019-2020 JEFFERSON COUNTY SCHOOLS Calendar

July 2019						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August 2019						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2019						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2019						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2019						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2019						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July	
4	ALL OFFICES/BUILDINGS CLOSED H

August	
13	POLICIES/PROCEDURES
14-15	CURRICULUM DEVELOPMENT
16	PREP/FACULTY SENATE
19	FIRST DAY FOR STUDENTS

September	
2	ALL SCHOOLS/OFFICES/BUILDINGS CLOSED H

October	
23	NO SCHOOL FOR STUDENTS/PROF LEARNING

November	
11	ALL SCHOOLS/OFFICES/BUILDINGS CLOSED H
25-29	ALL SCHOOLS CLOSED
28-29	ALL OFFICES/BUILDINGS CLOSED H AND OS

December	
20	NO SCHOOL FOR STUDENTS/PROF LEARNING
23-31	ALL SCHOOLS CLOSED
24-25	ALL OFFICES/BUILDINGS CLOSED OS AND H

January 2020						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2020						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

March 2020						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2020						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2020						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2020						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

January	
1-3	ALL SCHOOLS CLOSED
1	ALL OFFICES/BUILDINGS CLOSED H
20	ALL SCHOOLS/OFFICES/BUILDINGS CLOSED

February	
14	2 HR EARLY RELEASE/FACULTY SENATE
17	ALL SCHOOLS CLOSED

March	
4	NO SCHOOL FOR STUDENTS/PROF LEARNING

April	
3	2 HR EARLY RELEASE/FACULTY SENATE
6-13	ALL SCHOOLS CLOSED/SPRING BREAK *NEW*
13	ALL SCHOOLS/OFFICES CLOSED OS

May	
12	ALL SCHOOLS/OFFICES/BUILDINGS CLOSED E
17	JHS/WHS Graduation
25	ALL SCHOOLS/OFFICES/BUILDINGS CLOSED H
29	STUDENT LAST DAY IF NO MAKE UP NEEDED

June	
1-2	PROF LEARNING
3	PREP CLOSE/FACULTY SENATE
4	TEACHER/PARENT CONFERENCE
5,8-9	OS TBA