

LOUDOUN COUNTY PUBLIC SCHOOLS

Empowering all students to make meaningful contributions to the world

21000 Education Court • Ashburn, VA 20148 • www.lcps.org

STUDENT RIGHTS & RESPONSIBILITIES 2017-2018





Eric Williams, Ed.D.
Superintendent

LOUDOUN COUNTY PUBLIC SCHOOLS

OFFICE OF THE SUPERINTENDENT

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Dear Students and Parents:

Loudoun County Public Schools (LCPS) rank among the best in the nation, and we have much of which to be proud, including the behavior of our students. We can maintain this excellence by continuing to work together to help each student obtain maximum benefit from the educational opportunities offered.

This publication specifies rights, responsibilities, and expectations for student behavior in school. I encourage you to read this material together and discuss it with school personnel if you need clarification. The School Board's Policy Manual, which provides additional detail, is available on the LCPS website at www.lcps.org.

The Loudoun County School Board adopted these rights, responsibilities, and expectations to help ensure and enhance a healthy and safe environment for teaching and learning and to protect the rights of all students to obtain an education in a positive learning environment free of disruption.

The right to a free public education is among the most important rights guaranteed to the residents of Virginia. We expect the highest standards of personal conduct on the part of our students, and all of our staff are devoted to working with you to be sure that our schools are places where students and teachers can devote their primary attention to learning and teaching.

With best wishes for a successful school year, I am

Very truly yours,

Eric Williams, Ed.D.
Superintendent

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Basic Rights and Responsibilities

Student Rights

Residents of Loudoun County who are of school age are entitled to a free education in accordance with the laws of the Commonwealth of Virginia. This right and those granted under the Constitution of the United States and the Commonwealth of Virginia and applicable federal and state laws shall be guaranteed without regard to race, religion, creed, sex, disability, or national origin.

This guarantee of rights includes the right of students to have access to courses of study and student activities without regard to sex under the guidelines for compliance with Title IX of the Education Amendments of 1972.

The rights of individuals must be exercised in a way that does not infringe upon the rights of others or threaten the general welfare of society. Some restrictions may therefore be lawfully imposed by governments, including School Boards, upon the manner in which individual rights may be exercised.

The School Board is legally empowered to adopt local regulations for the conduct of students. The School Board is also responsible for the education, welfare, and safety of students in the schools. School Board policies and the rules of individual schools provide a code of student conduct which the School Board expects students to follow. These policies and rules are designed to protect the essential rights of students while ensuring a safe, orderly school environment in which students may learn and develop into responsible citizens.

As provided for in the *Code of Virginia*, any parent, custodian, or legal guardian of a pupil attending Loudoun County Public Schools (LCPS) who is aggrieved by an action of the School Board may, within thirty days after such action, petition the circuit court to review the action of the School Board. The action of the School Board shall be sustained unless the School Board exceeded its authority, acted arbitrarily or capriciously, or abused its discretion.



Rights and Responsibilities as Students

Students generally enjoy the same rights in school as they do in other settings, although there are some restrictions on the exercise of these rights that are particular to the school environment. The right to freedom of speech, for example, must be restricted to prevent one student from disrupting a class, monopolizing class time, or subjecting other students to verbal abuse.

School rules are necessary to place limitations on unacceptable behavior in school. They serve not only to restrict undesirable behavior, but also to teach proper behavior. A goal of all public education is to have students become responsible adults in a free society. This requires that students learn to be sensitive to the needs and rights of others and to be aware of the consequences of the actions of themselves and others.

Students therefore have a responsibility to protect the rights of other students to an education in a safe, orderly school environment. They also have a responsibility to protect the large financial investment of the residents of Loudoun County in the education of their children and youth.

The School Board insists that students conduct themselves as responsible citizens while in school or on any school property. Specifically, the School Board requires that students:

1. obey school rules and regulations;
2. respect the authority of school personnel;
3. respect the rights and property of other students and school employees;
4. take care of school property provided for their use; and
5. dress in an appropriate manner.



Rights and Responsibilities of Students

Students have a right to avail themselves of the educational opportunities offered to them through LCPS. This implies not only a right of access to these opportunities, but also a right to be protected from disruptive influences within the school. Students have a right to complain when other students disrupt a classroom and prevent them from learning.

To benefit from the opportunities provided for them, students must assume certain responsibilities for learning. These responsibilities include being in school when physically able, being on time for school and classes, dressing in an appropriate manner, paying attention in class, participating in class discussions and

other activities, asking questions when something is not understood, getting proper rest, doing homework and other assignments, making up all work missed because of absences, and doing one's best at all times. Teachers can do much to facilitate learning, but students also must take responsibility for their own learning.

Students also share a common responsibility for the overall learning environment. They should encourage and help each other, work cooperatively in group activities, and avoid creating disturbances that interfere with the efforts of others to learn.

Rights and Responsibilities of Adult Students

Students who have attained the age of 18 years have been granted certain rights as adults. They also assume certain adult responsibilities. In school, students 18 years and older may act in place of their parents where parental permission is required. Students 18 years and older also assume control of their school records.

Students who accept these rights as adults are expected to act as responsible adults. If they choose to attend school, they are subject to all school rules and regulations.

Introduction



Loudoun County's School Board has the authority and responsibility to make local regulations for the conduct of schools and for the proper discipline of students, including their going to and returning from school. This authority and responsibility is recognized as necessary for the maintenance of a school environment that is conducive to learning, free of disruption and threat to persons and property, and supportive of the rights of individuals. The School Board also recognizes its responsibility to assist and encourage students to achieve self-discipline and become responsible citizens.

This booklet is a compilation of some of the most common rules and policies governing students. A complete current copy of the "Loudoun County Public Schools Policies and Regulations" is available online at www.lcps.org. Printed copies are available as needed to persons who do not have Internet access.

The "Signature Form," which will be provided by the school, must be completed and returned to school with the student no later than September 1, 2017. Acknowledgement forms are also available through the ParentVUE site. The optional "Opt-Out Form for Release of Directory Information to Military Recruiters" is for high school students only and will be sent home with each high school student; it should be returned to the student's high school by September 1, 2017, if the parent/guardian or student elects this option.

Parent engagement is encouraged through the ParentVUE site. ParentVUE is a website or app that provides parents with access to grades, attendance, communication from teachers, and other student information, including the ability to update opt-outs and acknowledgements online. To gain access to ParentVUE, parents must receive an activation letter from their student's school. Parents with multiple students will only require one activation code and will see all of their students once they log in. Parents may use ParentVUE to update their email address and phone numbers at any time. Parents may access ParentVUE at <https://portal.lcps.org/> or via an iOS/Android app where the district URL is <https://portal.lcps.org/>. Please direct all questions to your student's school or visit the school website ParentVUE channel.

The School Board has adopted policies governing student behavior and has authorized each school to develop school rules consistent with School Board policies. These policies and rules shall cover students during the school day; while going to or returning from school, whether the student is walking, waiting for, or riding a school bus or a private vehicle; and while the student is participating in or attending any school sponsored activity, whether at school or elsewhere. These policies and rules also apply to students whose conduct at any time or place interferes with or obstructs the mission or operation of the schools, or the safety or welfare of students, employees, or property.

In addition to this booklet, *Student Rights and Responsibilities*, each school publishes and distributes a handbook of school rules. *In the event of a conflict between this version of the Student Rights and Responsibilities or the school handbook and School Board policies, the School Board policies shall be controlling in all cases.*



Acceptable Use Policy (AUP) (See Appendix C)



With access to computers and people all over the world, there is an availability of material that may not be of educational value in the context of the school setting. LCPS does not condone the use of such materials and does not permit the usage of inappropriate materials in the school environment. LCPS is not responsible for the accuracy or the quality of information obtained through the Internet.

In using computer equipment and networks in schools for any purpose, all students need to act responsibly. Students must use appropriate language and behavior on computers and networks as described in Policy §3060 of LCPS, “Acceptable Use Policy (AUP).” Malicious behavior and unauthorized use of equipment or systems could be in violation of Policy §3060 or of Policy §8–27 of LCPS, “Short Term Suspension from School,” and subject to disciplinary action.

Elementary students will be fully supervised when using telecommunications services and technology resources. All students will be observed closely by school personnel, as they use technology in the school building. Students must connect to the LCPS network which will filter internet use of all school use activities.

Teachers use software applications from a variety of internet sources and commercial online service providers who may require that your child consent to the provider’s “terms of use.” “Terms of use” typically include but are not limited to a waiver or limitation of warranties, indemnification by you for claims, losses or damages, and assumption of risks. LCPS staff monitor student usage of Internet access and electronic protection will be established when and where possible; however, each source contains different terms and conditions of use, privacy policy, liability clauses, etc. These internet applications may require certain personal information from the student, including his or her last name. Signing the Signature Form for this *Students Rights and Responsibilities* signifies your authorization for your child and/or school staff, on your behalf, to consent to these “terms of use”, conditions, and privacy policy agreements and provide personally identifiable information.

Students may operate cell phones and other personal communication or electronic devices when authorized to do so by the principal or designee, in accordance with Policy §8–34 of LCPS, “Personal Electronic Devices and Laser Pointers,” and Policy §3060 of LCPS, “Acceptable Use Policy (AUP).” LCPS is not responsible for training, maintenance, troubleshooting, loss, theft, or damage of any personal technology and reserves the right to monitor and/or investigate all activities initiated on these tools when connected to the authorized LCPS network.

When parents or guardians sign that they understand the “Acceptable Use Policy” of LCPS, they are agreeing that they:

- understand that Internet access is designed for educational purposes;
- recognize that it is impossible for schools to restrict access to all controversial material even with LCPS staff members monitoring students’ access;
- will not hold LCPS responsible for materials acquired on the network;
- give the student permission to access the Internet services in school;
- understand that this privilege may be revoked if the student violates the “Acceptable Use Policy (AUP)”;
- have read and understand Policy §3060 of LCPS, “Acceptable Use Policy (AUP).”

Activities and Organizations

The value of student activities in the education of children and youth is recognized by the School Board. Activities provide opportunities to develop special interests and talents, to mature socially, and to experience the responsibilities of participation and management in organizations.



Student Activity Guidelines

Student activities are a part of the total educational program and are therefore subject to school supervision and regulations. Student conduct at such activities is governed by the same rules for students as apply any other time they are under school supervision. In addition, students are expected to display good sportsmanship in competitive activities, whether they are participants or spectators, and to conduct themselves in a manner demonstrating respect for persons and property.

All student activities must be approved by the principal of the school. Student activities shall relate to the school's curricular program and shall not interfere with the operation of the school. Each activity may establish reasonable qualifications for membership or participation governed by the following guidelines:

1. It shall be open to all qualified students, except that certain athletics may be restricted to members of one sex in accordance with federal regulations on sexual discrimination;
2. It shall have a faculty sponsor approved by the principal;
3. The use of school facilities and equipment must be scheduled in accordance with the school's activity calendar and approved by the principal; and
4. All monies raised or collected are school funds and shall be deposited promptly with the school. The principal shall be responsible for the accounting and auditing of activity funds. Such monies shall be used only for the purpose raised or for purposes approved by the faculty sponsor and the principal.

Student Council Association (SCA)

Each school is authorized to establish a SCA that is duly elected by and representative of the student body to provide opportunities for experiencing the responsibilities of self-government and participation in the management and operation of student affairs. The SCA of any school shall establish, with approval of the principal, election procedures and qualifications for office that provide opportunities for representation of the student body.

The purpose of this organization is to maintain cooperation between the student body and the faculty or administration, to promote leadership and responsibility, and to train the students in the principles of self-government. This organization shall be the student representative body of the school.

Non-Curriculum-Related Student Groups

No activity, club, or other group that unlawfully restricts its membership or operates as a secret society may be approved as a school activity nor shall it be permitted to engage in any activity within the school.

Alcohol, Drugs, Electronic Cigarettes Tobacco

Alcohol

Students shall not possess, distribute, use, or be under the influence of alcohol, alcoholic beverages, or any liquid or solid containing alcohol or alcoholic beverages while under school authority, on a school bus, on school property, or at a school-sponsored activity at any time. The term “alcohol” shall mean any intoxicating beverage within the common understanding of that term that shall include any liquid containing any alcohol regardless of volume and is not limited to the definitions set forth in the *Code of Virginia*. A breath analysis test is authorized to determine whether or not a student is under the influence of alcohol.

Middle and high school students with a first violation of this policy shall be subject to disciplinary action in addition to participation in three days of Insight Substance Use Education class as required by Regulation §8240. Students who violate the policy for a second offense or are involved in any distribution of alcohol shall be subject to disciplinary action which may include assignment to the Substance Use Education Program at Douglass School as required by Regulation §8240; long-term suspension from school; referral to the School Board for expulsion; or such other action as may be deemed appropriate by the Superintendent or the School Board. Additionally, all students who violate this policy shall be required to complete an evaluation for drug or alcohol use, or both, by an appropriately licensed professional with expertise in substance use treatment. Parents and students will attend an Evaluation Meeting, and if recommended by the Student Assistance Specialist, and with the consent of the student’s parents/guardians, the student may be recommended to participate in a school-based support group and/or community treatment program.

Drugs and Other Chemical Substances

Students are strictly prohibited from possessing, distributing, selling, using, or being under the influence of any drug; any chemical substance that affects the brain or nervous system; or any substance represented to be or believed to be a drug or chemical substance that affects the brain or nervous system; or from possession of any drug-related paraphernalia while under school authority, on school property, or at a school-sponsored event. Possession or distribution of counterfeit or “look-alike” drugs is also strictly prohibited and will be dealt with in the same way as possession or distribution of any other drug.

Middle and high school students with a first violation of this policy shall be subject to disciplinary action in addition to participation in three days of Insight Substance Use Education class as required by Regulation §8240.” Students who violate the policy for a second offense or are involved in any distribution of drugs shall be subject to disciplinary action which may include assignment to the Substance Use Education Program at Douglass School as required by Regulation §8240; long-term suspension from school; referral to the School Board for expulsion; or such other action as may be deemed appropriate by the Superintendent or the School Board. All violations of state law also will be reported to the police. Additionally, all students who violate this policy shall be required to complete an evaluation for drug or alcohol use, or both, by an appropriately licensed professional with expertise in substance use treatment. Parents and students will attend an Evaluation Meeting and if recommended by the Student Assistance Specialist, and with the consent of the student’s parents/guardians, the student may be recommended to participate in a school-based support group and/or community treatment program.

Any student who brings a controlled substance; an imitation controlled substance, marijuana, imitation or look-alike marijuana, look-alike drugs; or look-alike controlled substances onto school property or to a school-sponsored activity; or who possesses one or more of these items while under school authority shall be subject to expulsion from school in accordance with Policy §8–28 of LCPS, “Disciplinary Action by the Division Superintendent.” This policy is applicable to students of all grade levels.

Publications or other printed materials which advocate the use of illegal drugs, the use of legal drugs or other chemical substances, which portray such use or use as socially acceptable behavior, or which advertise the sale of counterfeit or “look alike” or “act alike” drugs or drug-related paraphernalia are prohibited from sale or distribution on school property. Any student selling or distributing such materials on school property shall be subject to school discipline.

See the “Medication” section for information regarding prescription and over-the-counter drugs. Student use of medications will be subject to disciplinary actions as described in this section.

Tobacco Use and Electronic Cigarettes

Students shall not possess, distribute, smoke, or use tobacco products including electronic cigarettes at school, on a school bus, while going to or returning from school, on school field trips, or at any school-related activity on school ground.

Attendance

Students of school age have a right to a free public school education and have a responsibility to attend school. Regular attendance is essential if students are to benefit fully from the educational opportunities provided them. Unless excused by their principal, students are expected to be in school and on time every day. Appropriate disciplinary measures may be taken if students fail to accept this responsibility.

The General Assembly of Virginia has recognized the importance of regular attendance by enacting a compulsory school attendance law for students under the age of 18. This law requires parents or guardians to see that their children attend school for the same number of days and hours that school is in session, and it provides penalties for failure to do so. Penalties are also provided for anyone, including other students, who encourages or induces students to be absent or who employs or harbors a student who should be in school. The School Board employs attendance officers who are authorized and required to file a petition in the Juvenile and Domestic Relations Court to obtain compliance with this law.



As outlined in §22.1–254 of the *Code of Virginia* pertaining to the Compulsory School Attendance Law, every parent, guardian, or other person having control of any child between the ages of 5 and 18 shall send such child to a public, private, denominational, or parochial school or have such child taught by a tutor or qualified teacher, or provide home instruction as approved by the Superintendent or designee.

Parents or guardians who believe that a child is not mentally, physically, or emotionally prepared for school must notify the Superintendent in writing that they wish to delay compulsory attendance until the following year if the child has not reached his or her 6th birthday on or before September 30.

(See Appendix A for a reprint of the Compulsory School Attendance Law in its entirety.)

Absence from School

Recognizing there are legitimate circumstances that prevent students from being in school, the School Board has provided that principals shall excuse students who are absent because of personal illness, death in the family, medical or dental appointments, court appearances, and religious holidays when notification and appropriate documentation has been provided by the parent/guardian.

When a student is absent for all or any portion of the day, the parent or guardian is responsible for notifying the school of the reason and justification for the absence in a timely manner. At the principal's discretion, a physician's note may be required to excuse an absence. Principals also are authorized to excuse students who are absent because of illness in the immediate family or emergencies that, in the judgment of the principal, require a student to be absent. This includes trips that extend or enhance a student's education when such trips are approved in advance by the principal.

Regardless of the reason for an absence of 15 or more consecutive days, 8VAC 20-110-130 of the *Virginia Administrative Code* requires that the student be dropped from the attendance rolls. Such students must be re-enrolled and assigned to a classroom as determined by the principal or designee. Principals or designees may discipline students for unexcused absences and excessive tardies.

Whenever any student accumulates a minimum of five unexcused absences in a school year, the parent or guardian will be required to provide the school with documentation from a licensed physician regarding the reason for any subsequent absences. If an additional unexcused absence occurs during the school year, a plan to resolve the non-attendance will be developed. Upon any subsequent unexcused absences within the school year, the attendance officer will file a complaint with the Juvenile and Domestic Relations District Court as described in §22.1-258 of the Code of Virginia.

Dismissals during the School Day

All students must maintain a full-day schedule of classes unless granted a waiver by the Superintendent or his designee. Such waivers will be granted only in exceptional circumstances. Students or parents/guardians who wish to apply for a waiver may obtain a form from the principal, who will explain what must be done.

Waivers are required only if a student or parent/guardian desires a dismissal during the school day on a regular basis. The principal may still approve occasional dismissals for illness, emergencies, and other justifiable reasons.

Making up School Work after an Absence

Whenever a student is absent, whether an excused or unexcused absence or a suspension absence, if the principal requires make-up work, a reasonable amount of time, consistent with the length of the absence, will be given to the student to make up the work missed. Upon return from absence, the student is responsible to initiate immediate action to make up the work. Upon such request of the student, the teacher is responsible for providing assignments, tests, and other work that must be made up and informing the student clearly when make-up work for which grades will be given is due. Failure to complete such make-up work within the time allowed will result in a failing grade for those assignments, tests, or other work. Make-up work turned in within the time allowed will be graded on the same basis as other work.



Tardiness

A student is tardy when he or she arrives at an assigned place after the time his or her schedule requires him or her to be there. Repeated or habitual tardiness is an undesirable personal habit and is also disruptive of the orderly instructional process; therefore, teachers or principals will take corrective action. A parent or guardian should escort a tardy student into the school and sign in the student in the main office.

Truancy

A student is truant any time he or she willfully absents himself or herself from school or from any assigned class or required activity. Truancy is a serious offense that requires stern corrective action on the part of the school and the parents. All cases of truancy shall be reported to parents/guardians.

Bus Conduct

General Bus Information

Students are expected to use the same bus to and from school each day. Riding a different bus is prohibited unless a parent/guardian sends a written request and this request is approved by the school principal. Similarly, students must get off the bus on their way home at their regular bus stop unless a parent/guardian has requested in writing that a student get off at a different bus stop and the principal has approved the request.

Students who ride school buses are expected to conduct themselves at all times in a way that does not endanger themselves or others. Students are expected to obey all Bus Safety Rules. Improper behavior will result in temporary or even permanent denial of school bus privileges or other discipline.

Meeting the Bus

1. Parents or other responsible persons should accompany young students to and from the bus stop.
2. Students should be at their bus stop five minutes before the scheduled time for the bus to arrive. Drivers are not permitted to wait for late students.
3. While walking to a bus stop, students should walk on sidewalks, if available. If it is necessary to walk in a street or road, students should walk on the left side facing traffic coming toward them and move away from the street or road when traffic approaches. Parents should help young children cross any street or road and teach them to walk on the left side.
4. Where there is a sidewalk at the bus stop, students should wait on the sidewalk until the bus comes to a complete stop. Where there is no sidewalk, students should stand far from the edge of the road and remain there until the bus comes to a complete stop.
5. If the bus stops on the opposite side of the street or road from where students are waiting, the students must wait until the bus comes to a complete stop and the driver directs the students to cross. The students should always walk, never run, in front of the bus to cross the street or road, and they should be sure that the driver can see them at all times.
6. Pushing, shoving, or other horseplay is prohibited while walking to or waiting at a bus stop or while getting on the bus.

Conduct on the Bus

1. While on the school bus, students are expected to cooperate with the driver and obey promptly all directions and orders given by the driver. Drivers will report students who disobey them or violate rules for conduct on buses to the principal of the school. School buses are equipped with video and audio equipment to record student activity. The principal will take necessary disciplinary action, which may include suspension from school for serious or continued misconduct.





2. Students should get on a school bus in an orderly manner, without crowding or pushing, and go directly to a seat and sit down. Students are encouraged to use the passenger restraint system when available. They should remain seated at all times until they are ready to get off the bus.
3. Students may not bring pets or other animals, glass containers, water pistols, radios, balloons, or weapons of any kind on school buses.
4. Books, band instruments, or other objects must never be placed in the aisle or the front of the bus. Items that cannot be held by the student during transportation are prohibited.
5. Unnecessarily loud talking or laughter should be avoided. Profane or indecent language is prohibited at all times.
6. Except in an emergency, students should not talk to the driver while the bus is in motion.
7. Students may not open windows without permission of the driver. Shouting at pedestrians and/or throwing objects out open windows are prohibited.
8. Students must not put their arms, legs, or heads out open windows.
9. Fighting, horseplay, and throwing objects within the bus are prohibited.
10. Tampering with doors or other bus equipment or defacing seats or other parts of the bus is prohibited. Students must pay for willful or careless damage to the bus.
11. Smoking or any form of tobacco, drugs, or alcohol on the bus is prohibited.
12. Littering of any kind is not permitted.

Leaving the Bus

1. Students should remain seated until the bus comes to a complete stop.
2. Students should get off the bus in an orderly manner, allowing students in front seats to get off first. Crowding and pushing should be avoided.
3. In no case shall a kindergarten student be left unescorted at a bus stop alone after school.
4. Once off the bus, students should promptly move to a safe place away from the bus.
5. Students who have to cross a street or road should do so only in front of the bus and only after the driver has signaled that it is safe to cross.
6. Students should never attempt to retrieve an object dropped in front of or under a bus.

Comments and Complaints

Policy §8–10 of LCPS, “Comments and Complaints,” provides a process that allows parents and students to offer input, comments, and suggestions. Parents and students with complaints should attempt to resolve their concerns first with the staff at the child’s school, beginning with, where applicable, the teacher, school assistant principal, or principal. Comment and complaint forms will be distributed annually to all parents and students and shall be accessible to parents and students at all times through individual school offices, electronically upon request from individual schools or the Superintendent’s office, and via the LCPS or the school website. Retaliation against parents or students who file complaints or participate in related proceedings is strictly prohibited.

Concussions

Concussions can have serious, long-lasting effects. LCPS seeks to ensure that student athletes who have concussions are properly diagnosed, given adequate time to heal, and comprehensively supported until they are symptom-free. Student athletes receive a Student Athletic Handbook annually which includes detailed information regarding concussions in high school sports and the steps to Return to Learn; parents and students are required to read and sign acknowledgement of the concussion policy which is contained in the handbook.

Parents should notify school officials, including the school health office staff, if a student of any age has been treated outside school time for a concussion.

Dances

Dances are a part of the extracurricular program of the school primarily for the benefit and enjoyment of students of that school. Conduct at school dances is governed by the same rules for students as apply any other time students are under school supervision. These include policies concerning: behavior; dress; the possession and use of drugs, alcohol, or tobacco; and violence. Obscene or provocative dancing is also prohibited. Failure of a student or guest to comply with these rules may result in removal from the event or exclusion from future school dances.

Discipline

Reprimand and Counseling

A student may be reprimanded for violating a school rule. Counseling the student on the inappropriateness of his or her behavior and the reason for the school rule may also be necessary to help a student understand why his or her conduct is inappropriate or why a school rule is necessary.

Detention

A student may be detained at the school beyond regular school hours for violation of school rules and may be required during this time to engage in activities reasonably intended to correct his or her behavior. Only the principal or designee may detain students. Parents or guardians must be notified in advance of such detention so they may fulfill their responsibility to provide necessary transportation for the student.

Denial of School Privileges

A student may be denied normal school privileges for a specified period of time by the principal or designee when such denial of privileges is appropriate corrective action for the misconduct of the student.

Work Assignments

A student may be assigned non-hazardous work before or after school or during the school day when not in class or at lunch. Only the principal or designee should make work assignments, and the student must be properly supervised during any work assignment. No student shall be assigned or allowed to operate any machinery or use any tool or instrument capable of inflicting injury to the student or others. No student will be required to perform a work assignment if the parents or guardians object to such assignment. In such cases, an alternative consequence will be determined.

Removal from Class

For improper behavior in any class or activity, a student may be temporarily removed by the principal or designee or the classroom teacher and assigned to work at school or study in another place. The parent or guardian of any student shall be notified if a student is removed from class for an extended period of time. Further details can be found in Regulation §8–26 of LCPS, “Teacher Removal of Students from Class.”



Denial of Bus Transportation

Misbehavior on a school bus is a serious offense because it endangers the safety of all persons on the bus. Students who misbehave on school buses may be denied the privilege of using school buses for a short period of time. Serious or continued misbehavior may result in longer periods or even permanent denial of transportation. The principal or designee or the director of transportation may determine denial of bus privileges. The parent/guardian of any student denied transportation will be notified.

In-School Restriction

For serious or repeated violations of school rules, a student may be assigned to in-school restriction at school by the principal or designee. During the period of assignment to in-school restriction, the student will be isolated from normal school activities and will be denied school privileges and participation in or attendance at school activities. The student will be assigned classwork and will be counseled on his or her behavior in school. The parent or guardian of any student assigned to in-school restriction will be notified.

Exclusion from Extracurricular Activities

A student may be excluded from participation in some or all extracurricular activities or attendance at school-sponsored events when such disciplinary action is appropriate to the misconduct of the student. Such exclusion may be for a fixed period of time or until assurance of acceptable behavior has been obtained. Principals or their designees and the Superintendent and his designees are authorized to exclude students from participation or attendance in accordance with Policy §8–29 of LCPS, “Exclusion from Extracurricular Activities.” Parents of any student excluded from participation in extracurricular activities and/or attendance at school-sponsored events shall be notified.

Saturday School

A student may be assigned to Saturday school by school administrators for violating school rules and regulations. During the assignment period, students may be assigned academic work or work assignments. Students assigned to Saturday school will be under the supervision of school personnel. The school does not provide transportation to or from Saturday school. The parent or guardian of any student assigned to Saturday school will be notified.

Removal from School for Conduct Not Related to School Activities

As provided for by §22.1–277.2:1 of the *Code of Virginia*, the Superintendent may require any student who has been charged with an offense relating to Virginia’s laws on weapons, alcohol, drugs, or intentional injury to another person or has been found guilty or not innocent of a crime relating to Virginia’s laws on weapons, alcohol, drugs, or of a crime which resulted in or could have resulted in injury to others to attend an alternative education program. The term “charged” means that a petition or warrant has been filed or is pending against the student. Such alternative education programs include, but are not limited to, night school, adult education, or any other educational program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

Any student for whom the school division has received a report pursuant to §16.1–305.1 of the *Code of Virginia* of an adjudication of delinquency or a conviction may be assigned to an alternative placement.

Notification is sent to the Superintendent by the staff of the juvenile court when a student is charged with or found in violation of certain laws, as required by §16.1–260 and §16.1–305.1 of the *Code of Virginia*.



Short-Term Suspension from School by the Principal

A student may be suspended by the principal or designee for as many as ten school days for each offense. Unless the student's presence poses a continuing danger to persons or property or is an ongoing threat of disruption, an informal hearing by the principal or designee shall be given to the student before a decision to suspend is made. In the informal hearing, the student shall be notified of the reason for possible suspension and, if denied by the student, shall be provided with an explanation of the evidence and an opportunity to explain his or her version of the incident. When any student is suspended without prior hearing, the hearing shall be held as soon as possible thereafter.

The student's parents or guardians shall be notified promptly in writing of the reason for suspension, the length of suspension, and the procedure for appeal. The procedures for short-term suspension, including rights of appeal, are contained in Policy §8-27 of LCPS, "Short Term Suspension from School."

Disciplinary Action by the Superintendent

When, in the judgment of the Superintendent, disciplinary action beyond the authority of the school principal is required, the Superintendent shall implement one of the following disciplinary measures:

Involuntary Transfer for Adjustment Purposes. Students may be assigned to a school in an attendance area other than the one in which the student originally enrolled when normal disciplinary procedures, including short-term suspension from school, have failed to correct inappropriate behavior. Prior to involuntary transfer, the student and his or her parents/guardians will have been advised in writing on one or more occasions that such disciplinary action may be recommended by the principal if misconduct in school continues. The procedures for involuntary transfer, including rights of appeal, are contained in Policy §8-28 of LCPS, "Disciplinary Action by the Division Superintendent."

Long-Term Suspension from School. The Superintendent may suspend a student from school for a period of time longer than ten school days but less than 365 calendar days. Long-term suspension is used in cases of serious misconduct or when other measures, including short-term suspension or involuntary transfer, have failed to accomplish a necessary change in student behavior. The procedures for long-term suspension, including rights of appeal, are contained in Policy §8-28 of LCPS, "Disciplinary Action by the Division Superintendent."

Expulsion by the School Board. Expulsion means any disciplinary action imposed by the School Board or a committee thereof, whereby a student is not permitted to attend school and is ineligible for readmission for 365 calendar days after the date of such expulsion. Students may be expelled by a committee of the School Board or the School Board and only in accordance with the procedures set forth in Policy §8-28 of LCPS, "Disciplinary Action by the Division Superintendent," and the School Board hearing procedure set forth in Policy §2-27 of LCPS, "Student Discipline—Appeals and Hearings." Cause for expulsion may be any serious or repeated acts of misconduct listed on pages 26 & 27 under "Prohibited Behaviors."

Students expelled by the School Board may be readmitted only by the School Board upon application for readmission to the Superintendent. Expulsion is the most severe disciplinary procedure used in trying to correct student behavior. The procedures followed in recommending expulsion from school, including the right to a hearing before the School Board, are contained in Policy §8-28 of LCPS "Disciplinary Action by the Division Superintendent."



Students Expelled or Suspended by Another District or Private School

A student may be excluded from attendance if the student has been expelled or suspended for more than 30 days from attendance at school by a School Board or a private school, upon a finding that the student presents a danger to other students or staff. In the case of a suspension of more than 30 days, the term of the exclusion may not exceed the duration of such suspension. Upon the expiration of the exclusion period for an expulsion or withdrawal of admission, the student may re-petition the School Board for admission. Such exclusion of students from school is in accordance with the procedures of Policy §8–16 of LCPS, “Students Expelled or Suspended by Other than Loudoun County.”

Disciplinary Procedures

Corrective actions will be taken against students who violate school rules and regulations. Unless School Board policies or regulations direct a specific action to be taken for an offense, the principal will determine the appropriate measure for each case. Minor infractions normally will not result in severe actions unless they are repeated and have not been corrected by lesser measures.

Each school may develop procedures consistent with School Board policies to deal with discipline problems. The principal may designate one or more members of the professional staff of the school to carry out the disciplinary powers assigned to the principal by the School Board. The principal, however, shall maintain the final authority and responsibility in matters regarding student conduct. Students shall be informed of the rules and regulations concerning student conduct and the disciplinary procedures of the school.

Students on school property other than the school they attend, or attending an event sponsored by another school, are subject to the authority of the principal or designee responsible for student conduct on that school property or at that school-sponsored event.

Students are expected to do their own work on all tests, papers, projects, or other assignments to be done on an individual basis. Students should neither turn in another student’s work as their own nor give assistance to another student. Any student who turns in another student’s work as his or her own or who assists or gives his or her work to another student shall be given a grade of zero on that work. The incident will be reported to the principal and the parents. Principals may also establish school rules to punish violators of this policy.

Using the work of others and representing it as one’s own is considered plagiarism, a form of cheating, and is similarly prohibited. Plagiarism can take various forms of not giving credit for information and ideas that are used in student work. Students should cite a source when using material from other authors, Internet sites, electronic print, or texts. Key words and phrases reproduced as direct quotes should be indicated with quotation marks. Cited paraphrases and summaries that closely follow a source’s wording or structure may be considered plagiarism if they do not indicate through footnotes or other means the source being cited. Plagiarism is prohibited in all student work, including creative writing, essays, reports, projects, and presentations, whether print, oral, electronic, musical, graphic, or video. While LCPS encourages parents and guardians to support and supervise school work completed at home, the work should be done by the student and not by the assisting parent or guardian. Whether the homework is assigned to practice a skill taught in class or to finish a project begun in class, the teacher uses homework to evaluate the student’s understanding. If the student is assisted at home, the teachers do not have a reliable understanding of the student’s actual level of comprehension or mastery.



Dishonesty in Assigned Work

Dress Code

In accordance with policy §8270, students must wear clothing that is appropriate to a K-12 educational environment and that does not or is not likely to cause a substantial disruption. Appropriate clothing includes the following attire: Clothing must cover the midriff. Tank tops with straps greater than one inch wide. Clothing that covers private areas should be opaque and appropriate undergarments must be worn. Clothing that does not reveal undergarments and/or private areas. Clothing should be suitable for all scheduled classroom activities where unique hazards exist. Clothing that is required in specialized courses, such as sports uniforms or safety gear. Clothing that includes head covering if worn for religious beliefs, as a matter of safety, medical condition, or in connection with a school-sponsored program, activity, or event. Faces should be clearly visible by other students and staff, as a reasonable measure of safety and security. Clothing free from language that is profane or images that depict, advertise or advocate illegal, violent or lewd conduct, the unlawful possession or use of weapons, drugs, drug paraphernalia, alcohol, tobacco, marijuana or other controlled substances or are discriminatory. Clothing and/or head coverings free from gang related or associated symbols, such as words or drawings that could pose a reasonable threat to the health or safety of any other student or staff. Parents or guardians of students requiring accommodation for religious beliefs, disabilities, or other good causes should contact the principal.

Students are responsible for complying with the division dress code during school hours and school sponsored activities. In accordance with policy §8-26 parents or guardians may appeal a disciplinary action by notifying the office of the appropriate person to whom the appeal is made.

Schools consider students' safety to be of the utmost importance. The following emergency information applies to all schools, parents, and students.

Emergency Information



In order to be prepared for a school emergency, parents should:

- Ensure that your child's emergency contact information is accurate, current, and updated as needed. To update this information, please contact your child's school directly.
- Become familiar with LCPS's emergency communication procedures. LCPS is committed to providing accurate and timely information in the event of an emergency.

In case of a school emergency, parents should follow the tips listed below:

- Do not call or rush to the child's school. Phone lines and staff are needed for emergency response efforts.
- Do not phone or text students. Staff and students are discouraged from using cell phone communication.
- Check for and listen to the message parents will receive via ConnectEd, the district's emergency notification system, LCPS's primary method of contacting you.
- Check www.lcps.org for updates.
- Tune to local TV and radio stations for official school alerts.
- Rely only on official communication from school officials and/or public safety officials.
- To access a copy of the [LCPS brochure](#) with additional emergency information, go to www.lcps.org.

Fighting creates a serious danger to the students involved, to other students, school personnel, and school property. Fighting while under school authority and/or supervision will not be tolerated, and disciplinary action will be taken against students who engage in or instigate fighting.

As a last resort, students may use physical force to defend themselves from physical aggression from other students or individuals on school property or at school sponsored activities provided that the student:

Fighting

- Be without fault in provoking or bringing on the fight or incident;
- Have reasonably feared, under the circumstances as they appeared to him or her, that he or she was in danger of harm and the aggressor took at least one overt act indicative of imminent physical danger; and
- Have used no more force than was reasonably necessary to protect himself or herself from the threatened physical harm.



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

If a reasonable means of retreat or escape is available to the victim, then the victim shall attempt to flee the altercation prior to engaging in a physical altercation.

In determining the applicability of self-defense, all of the relevant circumstances should be considered in identifying the victim(s). Students claiming self defense have the burden of proving that the elements of self-defense have been met. If the victims(s) cannot

be reasonably determined, then the benefit of self-defense shall not be given to those engaged in the altercation.

Injuries and medical bills sustained by students engaged in fighting or “horseplay” will not be paid by LCPS.

Travel outside the contiguous states in conjunction with instruction on the high school level can provide excellent educational experiences for high school students since it enriches and expands the students’ classroom experiences and provides opportunities which enrich studies in any discipline. Foreign trips shall be considered a school-sponsored activity with all rules and standards for student conduct applicable.

No School Board or school funds will be committed to underwrite a trip or to reimburse individuals for financial loss due to trip cancellation or modification for loss of money or possessions during the trip. The principal of the teacher/coordinator’s school shall, as he/she deems necessary or unavoidable, have the authority to effect changes in trip itinerary, cancel the trip, and institute procedures not otherwise covered in the Administrative Guidelines.

Students who have graduated from high school are not eligible to participate in foreign trips. Each student’s principal has the authority to deny eligibility for a foreign field trip.

Foreign Field Trips

Freedom of Expression



Students may exercise their right to freedom of expression through speech, peaceful assembly, petition, and other lawful means provided such expression does not cause substantial disruption or is not otherwise lewd, obscene, or profane. Principals may provide reasonable times and appropriate places for students to exercise this right. However, the exercise of this right may be revoked whenever it becomes disruptive to the school program or interferes with the rights of other students to pursue their studies or activities or to express their ideas, or reasonably leads the principal to forecast disruption or interference. Students may not use this right to present obscene material; to slander or defame the character of another person or persons; or to advocate the violation of any federal, state, or local laws; or official school policies, rules, or regulations.

Students shall have the right to present recommendations to teachers and administrators to advocate change of any policy, rule, or regulation. Teachers and administrators shall make reasonable arrangements of time and place to hear such recommendations.

Harassment/Bullying

All students have the right to attend school where their individual differences are respected and where they are free of fear of harassment and bullying. LCPS actively upholds and supports efforts to prevent harassment and bullying.

Harassment in any form, including bullying or hazing, creates a climate that is not conducive to learning and is prohibited. Harassment based upon race, religion, ethnic origin, sex, or ability will not be tolerated, and appropriate disciplinary action will be taken against any student engaging in this type of behavior.

Hazing means to recklessly or intentionally endanger the health or safety of a student or to inflict bodily injury on a student in connection with or for the purpose of initiation, admission into or affiliation with, or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the student so endangered or injured participated voluntarily in the relevant activity. Section 18.2–56 of the *Code of Virginia* prohibits hazing and imposes a Class 1 misdemeanor penalty for anyone found guilty of this violation.

“Flagging” or “pantsing” is unacceptable behavior under any circumstance while under school authority, on a school bus, on school property, or at a school-sponsored activity. Any incident will be treated as a very serious violation and will result in severe disciplinary action.

The School Board supports the maintenance of a working and learning environment for employees and students that provides for fair and equitable treatment, including freedom from sexual discrimination and harassment. No employee or student, male or female, shall discriminate on the basis of sex; harass another employee or student by making unwelcome sexual advances or requests for sexual favors; or engage in other verbal or physical conduct of a sexual nature.

Procedures are described in Policy §8–6 of LCPS, “Sexual Discrimination/Harassment,” for resolving complaints arising from alleged sexual harassment or discrimination or alleged violations of Title IX of the Educational Amendments of 1972 (P.L. 92–318), as amended. Any student who believes he or she has been subjected to sexual harassment or discrimination should file a complaint of the alleged act immediately with the principal. The Compliance Officers are:

- Dr. Ashley Ellis
Assistant Superintendent for Instructional Services
571–252–1300
- Dr. Kimberly L. Hough
Assistant Superintendent for Personnel Services
571–252–1100
- E. Leigh Burden
Assistant Superintendent for Business and Financial Services
571–252–1400

An investigation of all reported incidents shall be undertaken promptly and shall be completed within 30 days. The confidentiality of the reporting party will be observed, provided that it does not interfere with the investigation or with the ability to take corrective action.

“Bullying” means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. “Bullying” includes cyberbullying. “Bullying” does not include ordinary teasing, horseplay, argument, or peer conflict.





The principal, or designee, shall attempt to promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies should be notified.

Bullying violations under this policy are prohibited and constitute grounds for student discipline ranging from in-school disciplinary measures to involuntary transfer, short- or long-term suspensions and/or expulsion under School Board policies.

Incidents of harassment or bullying should be reported to the principal or designee immediately.

Homeless

The *McKinney-Vento Act's* definition of who qualifies as a homeless child or youth is broad: "Children and youth who lack a fixed, regular, and adequate nighttime residence." For information, please contact the Office of Student Services at 571-252-1012.

Injuries, Accidents and Medical Bills

LCPS does not carry medical or accident insurance to cover students injured while at school. The school system does carry liability insurance for incidents that are determined by an authorized investigator to have been caused by gross negligence on the part of the school system. These are the only instances in which medical bills might be paid by the school system.

Optional, voluntary student accident insurance is made available for purchase on behalf of students for a nominal fee. There are various benefit plans from which to choose including school-time coverage only or 24-hour coverage for accidents year round. Additional accidental injury protection is available for football and dental accident insurance coverage.

Careful consideration should be given to purchase voluntary student accident insurance coverage if no other coverage is available to the student.

Investigations and Searches

School authorities have a responsibility to investigate suspected violations of the law or School Board policies. Principals and their designees who have reasonable suspicion that a student is in possession of contraband, illegal or harmful articles, or substances may search the student and his or her personal property in accordance with Policy §8-2 of LCPS, "Investigations and Searches." Such searches may include use of a metal detector.

School facilities made available to students for keeping their personal belongings and school materials loaned to them remain the property of the school. A principal or designee is authorized to search any storage facility when there is reasonable suspicion that illegal or harmful materials are stored therein. Middle and high schools cooperate with law enforcement in allowing canine inspections and searches or sweeps of vehicles in school parking lots and student lockers. Private vehicles parked on school property may also be subject to inspections and searches.

Students who refuse to cooperate with school investigations, including searches and breath analysis tests, may be subject to disciplinary action.

Laser Pointers

Students are prohibited from possessing laser pointers while on school property, under school control, or attending any school function or activity. Any student found to possess a laser pointer in violation of this policy will be subject to disciplinary action and the seizure of the device by school officials.

Law Enforcement/ Police Reports



In accordance with §22.1-279.3:1 of the *Code of Virginia* and Policy §8–38 of LCPS, “Reporting of Incidents,” reports shall be made to the Superintendent or designee and to the principal or designee on all incidents involving:

- the assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
- the assault and battery that results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person or stalking of any person on a school bus, on school property, or at a school-sponsored activity;
- any conduct involving alcohol, marijuana, synthetic cannabinoids, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
- any threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
- the illegal carrying of a firearm onto school property;
- any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, or explosive or incendiary devices, or chemical bombs, on a school bus, on school property, or at a school-sponsored activity;
- any threats or false threats to bomb made against school personnel or involving school property or school buses; or
- the arrest of any student for an incident occurring on a school bus, on school property, or at school-sponsored activity, including the charges therefore.

Any student who commits a reportable violation shall be required to participate in such prevention and intervention activities as may be prescribed by the Superintendent or his designee.

Students violating the law may also be subject to further local, state, and federal laws associated with the violation and its ensuing consequences separate from disciplinary actions that may be determined by the school system.

Sex Offender and Crimes against Minors Registry (SOR)

Information to parents regarding registration of sex offenders and the availability of information on the Sex Offender Registry is available via the Internet pursuant to §9.1–913 of the *Code of Virginia*. The SOR homepage can be accessed by entering the following website address: <http://www.sex-offender.vsp.virginia.gov/sor/>.

Students may occasionally be photographed or videotaped during their participation in school activities. These photographs may be used to provide information to the public about LCPS programs and activities through school system publications and displays, in newspapers and other print media, on television, and in connection with school system information provided on the Internet.

Parents/guardians may elect to NOT have their child photographed or videotaped for use in media and may further request that no individual pictures be used in the school yearbook and that the child not be a part of classroom photographs.

The “Signature Form”, attached to the *Student Rights and Responsibilities*, provides choices regarding media release photography as well as school yearbook and classroom photographs. Parents may also opt out through ParentVUE.

Media Release and Photographs

Medication

All medications should be administered to students at home whenever possible. All medication brought to school must be kept secure in the school health office. If it is necessary for a student to take medication while attending school, the following procedures must be observed:



- All prescription and non-prescription medication must be in the original, labeled container.
- Students with diabetes, asthma, or life-threatening allergies may carry medications throughout the school day with the approval of the physician and parent or guardian as indicated on the “Physician Order/Health Care Plan.”
- Students are not permitted to transport medications to and from school or carry any medication while in school.

Prescription Medication

The parent must provide the principal, school nurse, or school health clinic specialist with the medication and a completed “Authorization for Medication Administration” form. This form includes written instructions from the physician. Copies of the form are available in the school office, the health office, and on the LCPS website under the “Student Health Services” portion of the “Services” tab. A new “Physician Order/Individual Health Care Plan” must be provided to the school at the beginning of each school year for medications, seizures, asthma, anaphylaxis, diabetes, or any other serious medical condition. Parents are asked to bring in no more than a 60-day supply of prescription medicine at a time.

Any herbal or natural alternative medications (botanicals, dietary or nutritional supplements, homeopathic medicine, phytomedicinals, vitamins, and minerals) require an “Authorization of Medication Administration” form that includes dosage, time, and reason for administration signed by the physician and parent or guardian.

A 24-hour supply of the medication needed for students who must have the medicine to avoid serious health consequences (insulin, seizure medication, etc.) should be left in the school health office in case of a prolonged school day. The medication must be in an original pharmacy-labeled container with a physician’s order on file in the health office giving the time that the medication is to be administered in a 24-hour period.

Non-Prescription Medication

The parent must provide the principal, school nurse, or school health clinic specialist with the medication and a completed “Authorization for Medication Administration” form with the non-prescription portion completed and signed by the parent or a signed note containing the information below. The medication must be in the original, labeled container that must include the following:

1. student’s name;
2. name and purpose of medication;
3. dosage and time of medication; and
4. termination date for administering medication.

Non-prescription medication will only be administered according to directions on the label. If a higher dosage is required, a signed “Authorization for Medication Administration” form from the physician must accompany the medication. Cough drops and throat lozenges are considered non-prescription medication.

In order to maintain a high standard of safety and care, medical information regarding students with health concerns is shared with school staff on an as-needed basis.

Extended Day Field Trip Medications

Any prescription medication which needs to be administered on an extended day or overnight field trip must have the “Authorization for Medication Administration” form completed and signed by the parent and physician on file in the health office. Medication for these field trips must be supplied in an original pharmacy-labeled container with the amount of medication required for the field trip.



Overnight or Foreign Field Trip Medication

The parent/guardian of the high school student who is participating in an overnight or foreign field trip has the option of signing permission to authorize the child to carry and self-administer either over-the-counter or prescription medication when the parent/guardian accepts complete responsibility for both the decision and the child's actions while on the overnight or foreign trip. The "Universal Permission Form" for "Overnight and Foreign Field Trips" must be completed and submitted to the school nurse with completed "Authorization for Medication Administration" paperwork for each medication no later than two weeks prior to the departure date of the field trip.

Parents must supply both the over-the-counter and the prescription medication for all overnight or foreign field trips, even if the parent does not choose to have the child carry and self-administer the medication. Medication will not be provided from the health office for overnight and foreign field trips. Over-the-counter medication must be stored in the original manufacturer's container with no more medication than is required for the duration of the field trip. Prescription medication must be stored in the pharmacy-dispensed and labeled prescription container with no more medication than what is required for the duration of the field trips.

Return to School after Surgery or Emergency Room Visit

Students who have had surgery, been treated in the emergency room, or been hospitalized are expected to bring a physician's clearance for school attendance. This clearance should include when the student is released to return to school, what restrictions the student may have, and the duration of any restrictions.

Military

Section 22.1-287.04 of the Code of Virginia requires school divisions to annually survey parents of students to determine if they are "uniformed services-connected." The data collected are reported to the Virginia Department of Education and the U.S. Department of Education various times each year, in non-identifiable, aggregate format for the purposes of becoming eligible for fund sources and receiving services to meet the needs of uniformed services-connected students residing in the Commonwealth. Parents should respond to this question in ParentVUE and select from the following options:



- 1=Student is not military connected (this is the default response)
- 2=Active duty; student is a dependent of a member of the Active Duty Forces (Army, Navy, Air Force, Marine Corps, Coast Guard, the Commissioned Corps of the National Oceanic and Atmospheric Administration, or the Commissioned Corps of the U.S. Public Health Services)
- 3=Reserve; student is a dependent of a member of the Reserve Forces (Army, Navy, Air Force, Marine Corps, or Coast Guard)
- 4=National Guard; active or reserve

Data collected from the identification of uniformed services-connected students shall not be a public record as defined in §2.2-3701. No person shall disclose such data except as permitted under the provisions of the federal Family Educational Rights and Privacy Act (20 U.S.C. §1232g) and related regulations. No such data shall be used for the purposes of student achievement, the Standards of Accreditation, student-growth indicators, the school performance report card, or any other school rating system.

Minute of Silence

The Commonwealth of Virginia requires that each school day begins with a minute of silence. Students shall not disrupt or distract the rights of others during the minute of silence.

Motor Vehicles and Parking

Student use of motor vehicles for transportation to and from school is discouraged by the School Board. Parking facilities are provided at high schools for those students who must drive to school. Parking on school grounds is a privilege that may be granted by principals and may be revoked by them for failure to comply

Non-Discrimination



with rules and regulations governing parking privileges. Students shall submit to the principal a school parking application stating the need to drive to school, register any vehicle driven to school with the school office, and purchase a school parking permit. Unlicensed motor vehicles, including mini-bikes, are prohibited from school grounds at all times.

The School Board will not be responsible for and does not provide insurance coverage for any liability or physical damage involving private motor vehicles while on or off school property.

By accepting parking privileges, students are deemed to have consented to a vehicle search when requested by school authority. The issuance of a parking permit creates no expectation of privacy in any school parking lot or parking slot.

In compliance with federal and state laws as well as school rules, regulations, and School Board policies, LCPS does not unlawfully discriminate on the basis of race, color, national origin, religion, age, disability, or sex in the educational program or activities and LCPS provides equal access to the Boy Scouts, Girl Scouts, and other designated youth groups.

Grievance procedures for Title IX (sex discrimination and sexual harassment) and Section 504 (disability discrimination) have been established for students and parents in Policy §8–6 of LCPS, “Sex Discrimination and/or Sexual Harassment,” and Policy §8–6A of LCPS, “Non-Discrimination on the Basis of Disability,” for students who feel discrimination has been shown by the school division. See also Harassment/Bullying for procedures to file a complaint.

In compliance with the United States Department of Education Office for Civil Rights (OCR) Guidelines for Eliminating Discrimination in Vocational Programs, 34 C.F.R. Part 100, App. B, IV (O), all career and technical education opportunities of LCPS are offered without regard to race, color, national origin, sex, or disability. LCPS takes reasonable steps to remove language barriers in the admission and participation in these programs. Career and technical education opportunities will be offered to all students regardless of race, color, national origin, religion, sex, or disability. A complete listing of courses can be found in the LCPS High School Program of Studies under the “Academics” tab of the LCPS website. See reference links: www.lcps.org/Page/1910 and www.lcps.org/Page/174164.

Specific complaints of alleged discrimination under Title IX and Section 504 (disability) should be referred to:

- Title IX Coordinator
Assistant Superintendent for Personnel Services
21000 Education Court, Ashburn, VA 20148
571-252-1100
- Student Section 504 Disability Coordinator
Director, Diagnostic and Prevention Services
21000 Education Court, Ashburn, VA 20148
571-252-1013

For questions about Career and Technical Programs:

- Assistant Superintendent for Instructional Services
21000 Education Court, Ashburn, VA 20148
571-252-1300

Opt Out For Specific Activities

The *Protection of Pupil Rights Amendment* (PPRA), 20 U.S.C. §1232h, requires LCPS to notify parents or guardians to obtain consent for, or to allow parents or guardians to opt their child out of, participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas:

1. political affiliations or beliefs of the student or student's parent(s);
2. mental or psychological problems of the student or the student's family;
3. sexual behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of others with whom respondents have close family relationships;
6. legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. religious practices, affiliations, or beliefs of the student or parents; or
8. income, other than as required by law, to determine program eligibility.

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys") and certain physical exams and screenings.

At present, a schedule of activities requiring parental notice and consent or optout is not available for the upcoming school year. If surveys and activities are scheduled after the school year begins, LCPS will provide notification to parents or guardians, allowing them a reasonable period of time to opt their child out. Parents will also be provided an opportunity to review the survey.

Parental Responsibility and Involvement Requirements

Section 22.1–279.3 of the *Code of Virginia* contains provisions addressing parental responsibility and involvement that are intended to promote proper student conduct. Through the enactment of this legislation, the General Assembly has asserted its position that parents do not relinquish their responsibility for disciplining or managing their children while they are attending public schools. Rather, parents must work in partnership with school administrators to maintain a safe and orderly school environment.

Most parents and guardians are involved with and supportive of their schools, helping to create the environment that is necessary to promote learning. Consequently, school officials recognize that they will not need to resort to the enforcement provisions in this legislation unless parents or guardians willfully and unreasonably fail to meet their responsibility as outlined below. Rather, this legislation provides schools with additional tools for involving all parents in assisting schools' maintenance of a safe school environment.





- Within one calendar month of the opening of school, the School Board must send to parents/guardians a copy of these requirements, a copy of the School Board's standards of student conduct, and a copy of the Compulsory School Attendance Law. Those are included in the *Student Rights and Responsibilities*.
- Parents/guardians must sign and return a statement acknowledging access to the School Board's standards of student conduct and the Compulsory School Attendance Law or acknowledge receipt through ParentVUE. In doing so, parents/guardians recognize their responsibility to assist the school in disciplining their student. This form is sent home with each student on the first day of school.

NOTE: Parents/guardians are not precluded from expressing disagreement with the implementation of the School Board's standards of conduct through the appropriate channels. Parents continue to maintain the right to appeal a suspension or expulsion under §22.1–277 of the *Code of Virginia*.

- Each school must maintain records of the signed statement.
- The principal is authorized to request that the student's parent or parents, if both parents have legal and physical custody of the student, or guardian(s) meet with the principal or designee to review the standards of conduct, the parent's or guardian's responsibility to participate in disciplining the student, and ways to improve the student's behavior and educational progress.
- The principal is authorized to notify the parent(s)/guardian(s) when the student violates a School Board policy that could result in a suspension, whether or not the administration has imposed such action. The notice must state the date and particulars of the offense, the parent's/guardian's obligation to assist the school in improving the student's behavior, and, if the student is suspended, the fact that a parent or guardian may be required to accompany the student to meet with school officials.



- Under §22.1–279.3 (e) of the *Code of Virginia*, the principal may notify the parent(s)/guardian(s) of any student who violates a School Board policy or the compulsory school attendance requirements when such violation could result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed a petition.
- Suspended students may not be readmitted to the regular school program until the student and parent(s)/guardian(s) meet with school officials to discuss improving the student's behavior. However, the principal or designee is authorized to readmit the student without the parent(s)/guardian(s) conference if it is appropriate for the student.
- If parent(s)/guardian(s) fail to comply with these requirements, the School Board may petition the Loudoun Juvenile and Domestic

Relations Court to proceed against the parent(s)/guardian(s) for willful and unreasonable refusal to participate in efforts to improve the student's behavior or school attendance. The court is authorized to take the following actions:

- Order the parent(s)/guardian(s) to meet with school officials, if the parent(s)/guardian(s) willfully and unreasonably fail to meet with the principal after such a request has been made.
- Order the student or parent(s)/guardian(s), or both, to participate in treatment or programs to improve the student's behavior, including participation in parenting counseling or a mentoring program, as appropriate, or be subject to other limitations and conditions as the court deems appropriate. In addition, the court may impose a fine of up to \$500.

Pledge of Allegiance

Under §22.1–202 of the *Code of Virginia*, The Commonwealth of Virginia requires the daily recitation of the Pledge of Allegiance. The statute provides that no student shall be compelled to recite the Pledge if the student or the parent or guardian objects on religious, philosophical, or other grounds to the student's participating in this exercise. The statute further provides that students who are exempt from recitation of the Pledge shall remain quietly standing or sitting at their desks while others recite the Pledge and shall make no display that disrupts or distracts others.

Portable Communication Devices

Students may operate cell phones and other personal communication or electronic devices when authorized to do so by the principal or designee. Authorization is required whether on school property, under school authority or attending any school function or activity of any elementary, middle, high, academy, alternative or technical center school. School officials may confiscate such devices if a student violates the provisions of this policy. Any violation of this policy by a student may result in the student's loss of privileges of possessing such devices while on school property, under school control, or attending any school function or activity and may result in further disciplinary action. Student use of such devices for unlawful or other prohibited purposes while on school property, under school authority, or attending any school function or activity may result in seizure of the device by school officials and disciplinary action, including expulsion.

Prohibited Behaviors

Students are expected at all times to conduct themselves in accordance with federal, state, and local laws and to obey all policies, rules, and regulations of the School Board and the local school. When a student violates a School Board policy or a school rule, the principal shall take appropriate disciplinary action in accordance with established policy and procedures. Violations of the law will be reported to law enforcement agencies and to parents or guardians of any student involved. Students who violate the law in LCPS can expect to be prosecuted in court.

Acts or Threats of Physical Violence

The use or threat of violence against another person will not be tolerated. Such acts or threats may result in arrest and criminal prosecution and will result in school disciplinary action, including the possibility of suspension or expulsion.

Acts or threats of physical violence include, but are not limited to, assault, battery, robbery involving force or threat, extortion, fighting, rape, use or possession of any weapon or explosive as defined by Policy §8–32 of LCPS, "Weapons," and setting off fireworks or smoke bombs. Making telephone bomb threats, or otherwise harming, intimidating, or endangering the physical well-being of any person are also included.

Disruption of the School Environment

The environment of each school must be one in which learning can flourish, the security and dignity of each person is protected, and all activities can be conducted in an orderly and productive manner. Severe disruption of this environment may result in arrest and criminal prosecution; less serious instances will be subject to school disciplinary procedures. Acts of disruption include, but are not limited to, riotous or disorderly behavior that interrupts or disturbs the school operation; inciting others to behave in a disorderly manner; defiance of the authority of school personnel; verbal abuse or cursing of others or the use of profane, vulgar, or indecent language or conduct; interruption or disturbance of classes, assemblies, activities, or offices of the school; defacing of property with obscene or offensive words or symbols, or with racial or religious epithets; harassment or bullying; or failure to leave school premises when directed to do so.



Property Damage

Students are expected to give due care to school property provided for their use and education and to respect the property of others. Taking or attempting to take another person's property or school property or the damage or destruction of another person's property or school property will result in disciplinary action. Students are also required to reimburse the School Board for any breakage, destruction, or loss of school property.

The property of the school and the personal property of students and school employees must be secure. Criminal acts against property may result in arrest and prosecution; acts of a less serious nature will result in school disciplinary action.

Acts or threats against property include, but are not limited to, destruction, damaging, defacing, stealing, or setting fire to any property of the school or another person, including buildings, furniture, grounds, roadways, parking lots, signs, fences, equipment, instructional materials, automotive vehicles, or personal belongings, or the threat of such actions.

The School Board does not provide insurance coverage and will not be responsible for students' personal property brought to school. Examples of student-owned property include, but are not limited to, radios, MP3 devices, CD/DVD players, cell phones, cameras, calculators, laptop computers, purses, wallets, clothes, jewelry, eyeglasses/contacts, books, backpacks, tools, musical instruments, athletic equipment, motor vehicles, etc. These items may be covered by the student's or parent/guardian's homeowner insurance policy, or coverage may be purchased on a voluntary basis through the insurance carrier information provided by the School Board.

Parents/guardians of students causing damage or loss of any School Board property will be assessed and invoiced for the repair or replacement cost of the damaged or lost property.

Personal Behavior

Students are expected at all times to behave in a restrained, responsible way and to conduct themselves in accordance with all laws, rules, and regulations, and in a manner that contributes to the orderly operation of the school. Personal conduct in violation of law is subject to arrest and prosecution; violation of school rules and regulations will result in school disciplinary action.

Personal behavior that is prohibited includes, but is not limited to, the following:

- use, possession, or distribution of drugs, alcohol, or other chemical substances that affect the brain or nervous system, or drug-related paraphernalia;
- being under the influence of drugs, alcohol, or other chemical substances that affect the brain or nervous system;
- gambling;
- dressing in any manner that is inappropriate, is provocative, disrupts the school, or presents a hazard to health or safety;
- damaging school property or the personal property of others;
- forgery, plagiarism, cheating, stealing, or lying;
- indecent exposure, obscene gestures or conduct, or bringing inappropriate publications or illustrations to school; and
- sexual contact between students while subject to school authority.



Prosecution of Juveniles as Adults for Certain Crimes

Section 22.1–279.4 of the *Code of Virginia* requires that local School Boards provide information to students about the laws regarding the prosecution of juveniles as adults. Essentially, the law permits juveniles to be prosecuted as adults under certain circumstances. The Office of the Attorney General has developed information provided in question and answer format. (*See Appendix B*)

Publications

Student publications, such as newspapers, literary magazines, and yearbooks are authorized at a level appropriate to the student body and serve a curricular or pedagogical purpose. The principal of the school must approve all publications.

The editorial staff and faculty advisor of each approved publication shall establish an editorial policy which promotes and guarantees responsible journalism and which must be approved by the principal.

This policy prohibits publication of material which:

- has caused, is causing, or reasonably leads the principal to forecast substantial disruption of or interference with school activities;
- advocates practices that endanger the health or safety of students;
- advocates the violation of any federal, state, or local law or official school policies, rules, or regulations, or is a criminal act in itself;
- tends to besmirch the memory or the private life of one who is dead or the reputation of the private life of one who is alive, or exposes any person or group to public hatred, contempt, or ridicule, or invades the privacy of any persons,

or is obscene in that:

- the average person, applying community standards, would find that it, taken as a whole, appeals to lewd interests;
- is patently offensive to prevailing standards in the adult community as a whole with respect to what is appropriate for students of the age group for which it is to be published;
- taken as a whole, is without redeeming social importance for students of this age and lacks serious literary, artistic, political, or scientific value; or
- violates the Virginia law on obscenity.



Student Educational Records

An educational record is maintained on every student enrolled in LCPS. At a minimum, the student educational record contains directory information, grades, health and

physical education records, discipline records, if any, and the results of standardized group testing. Any individual special evaluations (psychological, medical, educational, or social history), official records relating to special education or Section 504 of the Rehabilitation Act of 1973, and records relating to the gifted program, Title I, Head Start, and other special programs would also be included in the educational record.

The student educational record is kept at the school currently attended by the student. Files for students who have left the system are kept at the last school attended. The principal is the custodian of the educational record. A portion of some students' files may be maintained in the central office; the educational record will specify the department.

The entire contents of the student educational record are not retained permanently; however a permanent record of the student's name, address,

Records



telephone number, grades, attendance record, classes attended, grade-level, and year completed is maintained. The special education portions of records are destroyed five years from the date of graduation, transfer, or withdrawal from the school system. Individual assessments and protocols for special education evaluations are retained for one year after such testing is administered and then destroyed by the end of the following school year. Upon request, a copy of the special education portions of students' files or test protocols may be accessed prior to their destruction.

Provisions of the Family Educational Rights and Privacy Act (FERPA)

The *Family Educational Rights and Privacy Act* (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's educational record. They include the following:

- The right to inspect and review the student's educational record within a reasonable amount of time after the school division receives a request for access. Parents or eligible students should submit to the school principal or appropriate school official a written request that identifies the information they wish to inspect. The principal, principal's designee, or central office administrator will make arrangements for access and notify the parent or eligible student of the time and place where the information may be inspected.
- The right to request the amendment of the information in the student's educational record that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights. They should write to the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the school division decides not to amend the record as requested by the parent or eligible student, the school division will notify the parent or eligible student 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 parent or eligible student when notified of the right to a hearing.
- The right to consent to disclosures of personally identifiable information contained in the student's educational record, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the division as an

administrator; supervisor; school resource officer assigned by Loudoun County Sheriff's Department when participating on a school threat assessment team or if part of a designated school law enforcement unit, if any; instructor; chaperone; or support staff member (including health and medical staff); a person serving on the School Board; a person, company, vendor, or subcontractors of a company or vendor with whom the division has contracted to perform a special task (such as an attorney, auditor, medical consultant, insurer, or therapist); or a person, company, or vendor who provides a service or provides goods and/or software products and services to assist the division in fulfilling its educational purpose and responsibilities; or a parent or



student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; and volunteers, student teachers, counselor interns designated by the principal to perform a school function and who are under the authority of the principal. 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. Upon request, LCPS also discloses educational records without consent to officials of another school division in which a student seeks or intends to enroll.

- A school is not required to provide information that is not maintained or to create educational records in response to a parent's request.
- School officials may release personally identifiable information from educational records in connection with a health or safety emergency.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school division to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.

Release of Directory Information

The written consent of parents is required for the release of any personally identifiable data from student records, except for directory information and other exceptions as provided by law.

The following information, known as “directory information,” may be released without prior consent: name and address of student and parent(s) or guardian(s), telephone listing(s), electronic mail addresses or other electronic contact information of parents or guardians, date and place of birth, participation in officially recognized activities and sports, height and weight if member of athletic team, dates of attendance and grade level, awards and honors received, names of graduates, Division student ID number and other similar information specified by administrative regulation.

Parents or guardians and eligible students have the right to refuse disclosure of such data. If parents, guardians, or students wish to exercise the right to refuse release of directory information, they should write a letter to the principals of each of their students' schools requesting that no directory information be released. The request should be received within 14 days of receiving written or public notice. Parents may opt out of directory information through ParentVUE.



Release of Information to Military Recruiters

In accordance with the *Every Student Succeeds Act* and the *National Defense Authorization Act*, the schools shall, upon a request made by military recruiters or an institution of higher learning, provide access to secondary school student names, addresses, and telephone listings. However, a student or parent of a student may submit a request that the student's information not be released without prior written parental consent. An opt-out form for high school students and parents or guardians who do not wish to have such information released will be sent home with each student and must be completed and returned to the student's high school by September 1, 2017. The form is also available at www.lcps.org in *Student Rights and Responsibilities*, or parents may opt out in ParentVUE.

Records of Eighteen-Year-Old Students

Under the law, the rights of parents to educational records of students transfer to the student upon reaching the age of 18 years. This includes the rights of access, challenge, and control of release of data from their school records. Parents of children who are still

dependents as defined in Section 152 of the Internal Revenue Code of 1954 are eligible, however, to obtain copies of their children's records.

Annual Destruction of Individual Assessments and Protocols

If a child is administered individual standardized tests during the school year, please note that it is the practice of the school division to destroy the test protocols at the end of the following school year because this information would no longer be needed to provide educational services to the child. These test protocols are maintained in the Department of Pupil Services for three (3) years.

A parent or guardian has the right to review and inspect the records but must make this request prior to their destruction at the end of the school year, in compliance with the records retention schedule. A parent or guardian may also challenge in a hearing the decision to destroy the records. Any such requests should be directed to the Director of Diagnostic and Prevention Services, 21000 Education Court, Ashburn, VA 20148. Copyright laws may prevent parents or guardians from obtaining copies of the test protocols.

Removal from School

Conduct which may constitute cause for removal from school shall include, but shall not be limited to the following

- willful or continued disobedience of school rules and regulations or school personnel;
- defiance of authority of any teacher, principal, or other person having authority in the school;
- conduct that endangers or threatens the physical well-being of themselves, other students, or school personnel;
- physical assault upon another person, including fighting and non-consensual touching; damaging in any way any property of the school or any person;
- theft or attempted theft of school property or the personal property of another person;
- participation in unauthorized occupancy of any part of a school building or grounds, presence on any school property in violation of a directive, or failure to leave promptly any school property after having been directed to do so by the principal or other person in charge;
- use or possession of any weapon or explosives, including fireworks, on school property;
- violation of attendance regulations, including leaving school without permission;
- cursing, verbal abuse, written abuse, bullying, intimidation, or harassment of another person by electronic means or otherwise as an individual event or a pattern;
- willful interruption or disruption of any school or part thereof;
- conduct which may constitute cause for removal from school shall include, but any threat to bomb, burn, or damage in any manner a school building or other school property, or the property of another person;
- violation of the alcohol policy;
- violation of the drug policy;
- violation of the policy on use of tobacco or electronic cigarettes;



- violation of the policy on cell phones or any portable communication devices;
- lying or giving false information, verbally or in writing, to a school employee, including forgery or the knowing use of forged writing;
- failure to abide by restrictions or punishments of a lesser nature;
- violation of any law of the United States or the Commonwealth while on school property or of any policy for which the prescribed punishment is suspension;
- unauthorized or illegal use of, or access to, computers, software, telecommunications, and related technologies; any willful act that causes physical, financial, or other harm; or otherwise disrupts information technology;
- participation in a group, mob, or gang activity that involves inciting, intimidating, harassing, threatening, or committing an assault or other act of violence;
- disruptive behavior;
- other good, just or sufficient cause.

School Counseling

The School Counseling Program of LCPS assists students' development in academic, career, and personal/social areas through the guidance curriculum, individual student planning and counseling, responsive services, and systems support. All aspects of the program are complementary to the efforts of parents, school staff, and the community.

The curriculum adheres to the "Standards for School Counseling Programs in Virginia Public Schools."

- Academic counseling assists students and their parents/guardians to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing, and to seek post-secondary academic opportunities.
- Career counseling helps students acquire information and plan action about work, jobs, apprenticeships, and post-secondary educational and career opportunities.
- Personal/social counseling encourages students to develop an understanding of themselves, the rights and needs of others, how to resolve conflict, and how to define individual goals reflecting their interests, abilities, and aptitudes.

School counseling involves individual, small group, and large group contacts over a period of time. A student may meet with the counselor when he or she requests counseling; parents or guardians, teachers, administrators, and other school staff members refer the student; or the counselor initiates contact.

A positive relationship between school and home helps to foster the academic, social and emotional growth of children. Counselors invite parents/guardians to meet with them concerning their child. Except in cases of crisis intervention, written parental permission is required for students to participate in either individual counseling (more than three sessions) or in small group multi-session counseling which focuses on specific concerns. Parental permission forms for group counseling or individual counseling to be conducted on a continuing basis will be sent home via the student except in those instances outlined in





Regulation §5-6 d(1–3) of LCPS, “Guidance and Counseling Services - Elementary, Middle, and High School.”

A child may be included in personal/social counseling without parental consent when the school counselor and the principal of each school have certified in writing that a reasonable effort, involving at least one telephone call and one letter mailed to the parents, has been made to contact the student’s parents/guardians and that no response has been received.

Parents/guardians have the option to withdraw their children from all or any portion of the School Counseling Program by directing their opt-out request in writing to the school principal. The opt-out provision excludes short duration personal/social counseling which is needed to maintain order, discipline, or a productive learning environment; or to assess instances of suspected child abuse or neglect. Materials used in the School Counseling Program shall be made available for parent review and comment by making arrangements with the school counselor.

In accordance with the *Standards for Accrediting Schools in Virginia*, each school shall have school counselors who are personally qualified and possess the proper certification and endorsement. The use of counseling techniques beyond the scope of the professional certification or training of counselors is strictly prohibited, including hypnosis or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Information and records of personal/social counseling shall be kept confidential and separate from a student’s educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law.

School Nutrition Services provides breakfast and lunch in Loudoun County schools during the school year. Registered dietitians plan menus using student input from taste parties and surveys. Menus reflect the diversity of students in Loudoun County. School Nutrition Services operates under the guidance of the United States Department of Agriculture, receiving federal funds based on student participation and adherence to federal guidelines. Families with students with special dietary needs should contact School Nutrition Services. Major food allergens are noted on the serving lines via an identification label. Access the department website to determine nutrient values and food allergen information at <http://lcpshealthycafe.org>.

The School Board establishes meal prices. Free and reduced price meal applications are available to families all year, either online or via traditional paper application. Applications are in English and Spanish. Children in foster care, Head Start and those served under the McKinney-Vento Homeless Assistance Act are eligible for breakfast and lunch at no cost throughout the year.

All students participating in academic summer school or enrichment programs at qualified sites receive meals at no cost. After school snacks and dinner programs are provided at selected qualified schools. Obtain additional information on all school nutrition programs from the LCPS Division of School Nutrition Services at 571-252-1010 or on the department website, <http://lcpshealthycafe.org>.

Fees and charges may be reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are unable to pay, including, but not limited to, families receiving unemployment benefits or public assistance such as Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program, Supplemental Security Income or Medicaid; foster families caring for children in foster care; or, families that are homeless under the *McKinneyVento Act*. Along with each fee will be a notice explaining how affected families may apply for a fee reduction or waiver. Submit requests to the principal. A schedule of student fees will be available in Policy §4020 of LCPS, “Student Fees and Charges.”

School Lunch



Student Fees

Virginia Assessment Program

The *Virginia Board of Education Regulations Establishing Standards for Accrediting Public Schools in Virginia* state that students in grades K-12 will take the Virginia assessment program tests that are required by the Board of Education or the applicable end-of-course SOL tests following course instruction. These tests are administered during set state windows and permit accommodations for eligible students. Tests are administered to students during the school day with testing completed by dismissal. Parents should make every effort to ensure their student is in attendance during test administration windows.

Regulations Establishing Standards for Accrediting Public Schools in Virginia, 8 VAC 20-131-30, pg. 8

Virginia High School League (VHSL)

All of the high schools in LCPS are members of the VHSL which includes athletic competition as well as various drama, debate, forensics, and academic competitions.

In order to be eligible for VHSL activities, students:

- must have been enrolled in a minimum of five subjects and passed five subjects the previous semester;
- may not repeat courses for eligibility purposes for which credit has been previously awarded;
- cannot have been enrolled in high school for more than eight consecutive semesters;
- must not have reached the 19th birthday on or before the first day of August of the year in which they are participating;
- must have completed a VHSL physical form in order to participate in athletics; and/or
- must not violate the VHSL transfer rule.

For a complete list of eligibility requirements, contact the athletic director at the high school the student attends. Families considering special permission transfers under Policy §8–20 of LCPS, “Student Assignment,” should contact their school’s Athletic Director concerning the VHSL transfer and other rules.



Weapons

No student shall possess any weapon for any reason while under school authority or supervision. The term “weapon” is construed broadly to cover and include any instrument that could injure, harm, or endanger the physical well-being of another person. The term includes, but is not limited to, the following:

Category A Weapons:

1. Firearms, starter guns or any weapon that is designed or can be readily converted to expel a projectile by action of an explosion. Examples of firearms would include any pistol, shotgun, rifle, or revolver;
2. Pneumatic guns, including a paintball gun, BB or pellet gun, or air rifle that use pneumatic pressure to expel a projectile; and
3. Explosive or incendiary devices, including those containing poison gas, acid or in the form of a grenade, rocket or bomb and any combination of parts either designed or intended for use in converting any device into any destructive device. “Destructive device” does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device.

Category B Weapons:

1. Any knife or other instrument or device that has a blade designed to cut or a point designed to penetrate, including a dirk, Bowie knife, switchblade, folding knife, ballistic knife, or machete;
2. Any gun or device designed to expel a projectile by any non-pneumatic or non-explosive action, including those using trigger, battery power or tension action. Examples include slingshots, bows, nail guns and toy shooting devices;
3. A stun weapon of any kind;
4. Any club, baton, stick, flailing or thrown instrument or other similar device designed for use as a weapon, such as a blackjack, spring stick, brass or metal knuckles, nunchahka (nun chuck or nunchaku), fighting chain, shuriken, throwing star or oriental dart;
5. Any chemical or chemical compound, including pepper spray, that produces an adverse effect on the normal functions of the human body;
6. Any instrument or device that is actually used intentionally to injure, harm, endanger or induce fear in another person, including “toy” or “look-alike” weapons; and
7. Any instrument or device, not included in Category A, which has as one of its designed purposes to be used as a weapon to injure, harm, or endanger another person.

Exceptions to Weapons Classifications:

The following weapon or weapons may be exempted from those categorized above, depending on the appropriateness of their use and provided that such weapons are authorized by a school official:

1. Those that are specifically a part of the school’s curriculum or activities or any organization authorized by the school to conduct its programs;
2. Those tools, such as a knife, customarily used for food preparation or service and is being used for such purpose; or
3. Those used within the Junior Reserve Officers Training Corps (JROTC) program in conducting marksmanship training when such training is a normal element of such programs; such programs may include training in the use of pneumatic guns. Such marksmanship training shall occur only at a location or locations approved by the Division Superintendent.

Penalties for Violation:**1. Category A Weapons Violation:**

Any student who violates this policy with respect to a Category A weapon shall be automatically recommended for expulsion from Loudoun County Public Schools by the Principal and prosecuted according to Policy §8-28, “Disciplinary Action by the Division Superintendent”. In accordance with that policy, however, the Principal may indicate special circumstances that may exist and therefore also recommend an alternative disciplinary action be considered. The Superintendent or the Superintendent’s designee may determine that the recommended disciplinary action is appropriate or take an alternative disciplinary action in accordance with Policy §8-28.

2. Category B Weapons Violation:

Any student who violates this policy with respect to a Category B weapon or any other terms of this policy may be subject to expulsion from Loudoun County Public Schools, or to such lesser disciplinary action, including long term suspension, as may be deemed appropriate by the Superintendent or the Superintendent’s designee in accordance with Policy §8-28.

3. Safe Harbor Provision:

The accidental or inadvertent possession of a weapon by a student, either brought onto or found on school property or at a school-sponsored activity shall not constitute a violation of this policy, provided the student immediately reports the same to a teacher or administrator upon discovery thereof by such student and before it is discovered or seen by a teacher, administrator or other school employee or by another student.

4. Reporting to Law Enforcement

Notwithstanding the foregoing, there may be a requirement to report such possession to law enforcement officials as provided in state law.

5. Right of Appeal:

Certain disciplinary actions for violations of this policy are appealable to or must be formally determined by a Committee of the School Board as provided in Policy §8-28.

Wellness

LCPS will promote practices that enhance students' and employees' health, safety, and well-being; that support safe learning and working environments; and that improve nutrition and promote physical fitness through lifetime activities. These practices shall include goals to improve nutrition education and other school-based activities designed to promote student wellness. To provide your input, you may attend the LCPS' Health, Safety, Wellness, and Transportation Committee meetings.



Referenced Documents

Appendix A Virginia Compulsory School Attendance Law

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

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

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

The requirements of this section shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in subsection C of §22.1-253.13:1 and in

§ 22.1-254.01. The requirements of this section shall not apply to (a) any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan pursuant to subsection E, and (b) any child who has obtained a high school diploma or its equivalent, a certificate of completion, or has achieved a passing score on a high school equivalency examination approved by the Board of Education, or who has otherwise complied with compulsory school attendance requirements as set forth in this article.

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

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

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

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

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any pupil who the school board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; or
2. On recommendation of the juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

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

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

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

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

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

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

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

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

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

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

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

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

Further, any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year

because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

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

LCPS Compulsory Attendance Policy

A. General

A student is entitled to a free, public education under the laws of the Commonwealth. To obtain the benefits of this free education, however, a student must be in regular attendance.

The School Board fully endorses the concept of compulsory attendance, in a free, public system of education where the cost of a student's education is borne by the general citizenry. The Board has therefore adopted an attendance policy which sets forth absences which may be excused by a principal and provides that appropriate disciplinary action be taken when students have unexcused absences, are truant, or are tardy. The Board also provides an attendance officer to investigate violations of the compulsory attendance law and enforce its provisions.

B. Ages

The Virginia compulsory attendance law requires that every child who has reached the age of five years on or before September 30 of the school year and has not reached the age of eighteen shall regularly attend school unless exempt by law or excused by the School Board as provided in §8-18 of these policies.

C. Duty of Parent

Parents, guardians, or other persons having control of the child are charged with the duty of causing the child to attend school or receive instruction as provided by the law.

D. Kindergarten Exemptions

1. Any child who has not reached the age of six years by September 30 whose parent or guardian notifies the School Board that he/she does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.
2. Any child who enrolls in kindergarten and is later withdrawn until the following year by the School Board upon recommendation of the principal and with the consent of the child's parent or guardian is exempted from compulsory attendance.

E. Nonresident Children

Children who are nonresidents of the State of Virginia but who are temporarily living with relatives or others in Loudoun County for a period of sixty days or more are required by state law to attend school. Persons having charge of such children must cause them to attend school and must pay tuition for such children, as provided in §8-21 of these policies, or must return them to their parents or legal guardians in the state in which they reside.

F. Any person having charge of any child who permits the child to remain at home and not attend school shall be subject to prosecution under state law. See Board Policy §8-18 and §22.1-254 of the Code of Virginia for the procedures for excusals from the compulsory attendance law.

Appendix B Prosecution of Juveniles as Adults for Certain Crimes

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

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

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

Circumstance #1: A transfer can occur when a juvenile, who is age 14 or older at the time of the offense, is charged with a crime which would be a felony if committed by an adult (§16.1-269.1 A. of the *Code of Virginia*). Offenses are either felonies or misdemeanors. Those offenses that are punishable by confinement in a state correctional facility or death are felonies; all other

offenses are misdemeanors. Felonies are classified for the purposes of punishment and sentencing into six classes. The authorized punishments for conviction of a felony are as follows:

- Class 1 felony—death if the person convicted was 18 years of age or older at the time of the offense and is not determined to be mentally retarded and a fine of not more than \$100,000. If the person was under 18 years of age at the time of the offense or is determined to be mentally retarded, the punishment shall be imprisonment for life or imprisonment for life and a fine of not more than \$100,000.
- Class 2 felony—imprisonment for life or for any term not less than twenty years or imprisonment for life or for any term not less than twenty years and a fine of not more than \$100,000.
- Class 3 felony—a term of imprisonment of not less than five years nor more than twenty years or a term of imprisonment of not less than five years nor more than twenty years and a fine of not more than \$100,000.
- Class 4 felony—a term of imprisonment of not less than two years nor more than ten years or a term of imprisonment of not less than two years nor more than ten years and a fine of not more than \$100,000.
- Class 5 felony—a term of imprisonment of not less than one year nor more than ten years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.
- Class 6 felony—a term of imprisonment of not less than one year nor more than five years, or in the discretion of the jury or the court trying the case without a jury, confinement in jail for not more than twelve months and a fine of not more than \$2,500, either or both.

(§§18.2-9 and 18.2-10 of the *Code of Virginia*)

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

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

- The juvenile's age;
- The seriousness and number of alleged offenses;
- Whether the juvenile can be retained in the juvenile justice system long enough for effective treatment and rehabilitation;
- The appropriateness and availability of the services and dispositional alternatives in both the criminal justice and juvenile justice systems needed by the juvenile;
- The record and previous history of the juvenile in the jurisdiction where the alleged crime occurred or in other jurisdictions;
- Whether the juvenile has escaped from a juvenile correctional entity in the past;
- The extent, if any, of the juvenile's degree of mental retardation or mental illness;
- The juvenile's school record and education;
- The juvenile's mental and emotional maturity; and
- The juvenile's physical condition and maturity

Circumstance #2: A transfer can occur when a juvenile 14 years of age or older is charged with an offense which would be a felony if committed by an adult. (§16.1-269.1 C of the *Code of Virginia*)

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

Circumstance #3: A transfer occurs when a juvenile 14 years of age or older at the time of the alleged offense is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding. (§16.1-269.1 B of the *Code of Virginia*)

Transfer under this circumstance is automatic. Whenever a juvenile 14 years of age or older is charged with capital murder, first or second degree murder, lynching or aggravated malicious wounding, he or she must be tried as an adult. The juvenile court holds a preliminary hearing to determine whether there is probable cause to believe the juvenile committed the alleged delinquent act. Upon a finding of probable cause, the juvenile is transferred for prosecution as an adult. (§16.1269.1 B of the *Code of Virginia*)

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

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

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

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

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

Appendix C Acceptable Use Policy (AUP)

A. Philosophy

Loudoun County Public Schools (LCPS) Department of Technology Services (DTS) provides access to an extensive array of Local Area Network/Wide Area Network (LAN/WAN) and web-based services and applications to staff and students. These network and Internet resources support the delivery of the division's program of studies, the Virginia Standards of Learning, and also assist with and enhance innovative instruction and educational excellence. Staff reviews network and Internet resources used in instruction.

B. Training and Access

Students and staff are provided with instruction on social and ethical issues of Internet use including copyright, plagiarism, and Internet safety and security. Additionally, students and staff are provided with instruction on the use of portable communication or privately owned electronic devices in the classroom. These devices include, but are not limited to: laptops, netbooks, tablets, iPads, cell phones, PDAs, e-readers and hand-held gaming devices.

1. Training includes:

- a. Internet safety review for students.
- b. Internet safety lessons integrated into instruction by classroom teachers and library/media specialists.
- c. Multimedia reminders of Internet safety and ethical behavior including safe use of portable communication or privately owned electronic devices used for instruction.

2. Under the terms and conditions stated in this Acceptable Use Policy (AUP), all authorized users have access to:

- a. Productivity and instructional applications via the Local Area Network (LAN).
- b. Virtual classroom instruction via distance learning services.
- c. Web-based electronic research and instructional services via the Wide Area Network (WAN).
- d. Internet access to news, LCPS and public library access to print and multimedia assets, and content-rich activities available from sites across the World Wide Web.
- e. Electronic communication locally, regionally and globally, including but not limited to electronic discussion groups, email, video conferences and white-board communications.
- f. Public domain multimedia files.

3. Requirements for Access:

- a. Every student using the LCPS network services, web-based resources and the Internet must have a parent/guardian signature on the "Student/Parent Technology Usage Form." The form, contained in the *Student Rights and Responsibilities* (SR&R) Handbook, must be signed and returned to the school annually.

- b. Every student will receive Internet safety instruction annually.
- c. Parents/guardians may revoke/reinstate access at any time after signing the opt-in form on the Student/Parent Technology Usage Form. This form is available at every LCPS school or on the website.
- d. Employee users will sign the Employee Handbook Acknowledgement Form.

C. Use of Network Services and the Internet is a Privilege, Not a Right

System users have no right of privacy nor an expectation of privacy for any activities conducted on any division computer system or the network, including but not limited to email or materials sent, received and/or stored on any division system. The LCPS website is not a public forum or a limited public forum for any purposes.

Division officials reserve the right to monitor and record all user activity. Any evidence of violation of this AUP, the Employee Handbook, School Board policy, or the *Student Rights and Responsibilities* Handbook will be provided to division administrators and may result in disciplinary action including the loss of privileges to use LCPS technology resources, suspension, or expulsion. Any evidence of the use of LCPS technology resources in violation of local, state or federal law, may result in disciplinary action and/or criminal prosecution. Electronic communications received or sent by School Board members shall not be viewed or accessed by any LCPS employee, except without expressed school board member permission, or as may be necessary to comply with the Virginia Freedom of Information Act (VFOIA) or with a lawfully issued subpoena or court order. School Board members shall be notified when their emails are accessed by LCPS staff, unless circumstances warrant otherwise (i.e., a law enforcement action or investigation which may be compromised by notifying the School Board member). This shall not prevent DTS staff from performing routine file, data, and system maintenance. 1. LCPS Staff Responsibilities LCPS staff will:

- a. Monitor and evaluate Internet safety instruction for staff and students and update as needed.
- b. Evaluate annually the division's technology infrastructure and the network, Internet and data security procedures in place.
- c. Remain cognizant of the latest developments in Internet vulnerabilities, legal issues and capabilities related to instruction and impact on division students.
- d. Provide professional development for all staff on the social and ethical issues of Internet use including copyright, fair use and plagiarism, and Internet safety and security.
- e. Review this policy every two years.
- f. Assess the need for community outreach related to Internet use and safety issues.
- g. Provide frequent information related to Internet safety and security to parents and the community via available public media sources.
- h. Block or filter Internet access to pornography or obscenity.

2. User Privileges

- a. Students and staff may make use of all district technology, software and network services for approved instructional purposes such as research, communication and production only as provided by this policy. Projects and assignments may be posted electronically and could include personally identifiable information that may be classified as an educational record under FERPA (Family Education Rights and Privacy Act). Efforts will be made to restrict the amount of personally identifiable information when communicating electronically over the Internet. Assignments and activities conducted online may receive teacher comments, grades or evaluations; under no circumstances will comments, grades or evaluations be posted publicly.
- b. Students and staff may access information from outside resources via the Internet that facilitates or supports learning and educational activities. During school hours or when using school equipment, student Internet use must occur in a supervised environment and students must use the wireless access provided by LCPS so that the LCPS Internet filters properly block certain material as required by law.
- c. Students and staff may download and transfer data files necessary for approved daily instruction over the network provided that such activity does not violate copyright or other laws, does not alter programs or otherwise damage LCPS technology, no fees are incurred, and/or no freeware, shareware, games or other executable files are placed on the school division network.
- d. Students may use portable communication or privately owned electronic devices for instructional activities as directed by school staff and as set forth in this policy.

3. User Responsibilities

- a. Any user under age 18 must have a parent/legal guardian sign this agreement prior to first use of any network service or Internet access. Users age 18 or older must sign this agreement prior to first use of any network service or Internet access.

- b. Users must maintain the privacy and security of passwords and accounts and shall not share their passwords or network access with other users. Users shall not attempt to learn another user's password, access another user's account or impersonate another user on the network.
- c. Users may not operate any division technology for commercial use, personal gain or product advertisement.
- d. Users shall not be connected to the school division's network through an Ethernet patch cable.
- e. Users shall respect the property of others. Users shall not access, modify or delete any network files, documents, applications or data files belonging to others. Vandalism, defined as a malicious attempt to harm or destroy another user's data or network service, will result in cancellation of privileges and disciplinary action.
- f. Users should use caution in forwarding emails to persons outside of the school system to ensure student privacy and to protect personally identifiable information.
- g. Users shall not attach unauthorized equipment to the network that serves the data and voice systems without express authorization in writing from DTS. (Televisions and VCRs may be attached to the cable TV distribution system without express authorization.) Data connection prohibitions include but are not limited to computer workstations, laptops/notebooks/tablet PCs, file servers, printers, networkable scanners, network switches or hubs, routers, smart/cell phone combination units and all other wired or wireless devices. This prohibition includes connecting to the network via a non-LCPS supported wireless access point.
- h. Users shall utilize proper network and email etiquette. Harassment, discriminatory remarks, hate mail and threats, obscene or vulgar language, and conduct prohibited by the *Student Rights and Responsibilities Handbook*, the Employee Handbook, School Board policy, or by law are prohibited in email or other electronic communications. Users shall not use LCPS equipment or technology to send, receive, view or download illegal material. Students shall be prevented from having access to material deemed harmful to juveniles as defined by law.
- i. Users shall properly use and care for all hardware and ancillary computer and network equipment available for use at any division site. Vandalism or destruction of any technology or related component will result in cancellation of privileges, disciplinary action and restitution to the school division.
- j. Users shall be responsible for all material in his/her network account and agree to maintain the account free from pornographic, undesirable or inappropriate materials, files or emails. Users shall prevent such materials from entering the network via the Internet or other source. Personal software may not be installed on any division hardware. Users shall adhere to the Copyright Act of 1976. Transmission of any material in violation of federal or state law or regulation is prohibited and will be dealt with according to criminal statutes and the Student Conduct Code.
- k. Any staff member or student who gains access to inappropriate or undesirable Internet materials, becomes aware of a network or hardware security problem, copyright or fair use infringement, or any Internet safety issue shall immediately notify DTS or Department of Instruction for assistance.
- l. Users shall be cautious when opening suspicious email or other file attachments from unknown sources to prevent virus, malware, and other malicious attacks that could compromise the network.

D. Safeguards

The Loudoun County Public Schools will take precautions to restrict access to undesirable or inappropriate materials using firewalls, encryption schematics and filtering applications and other security measures as well as provide error-free, dependable access to electronic resources via the LAN. Division teachers and staff will monitor user activity in classrooms, labs and libraries and will pursue appropriate disciplinary actions based on the *Student Rights and Responsibilities Handbook* or criminal statutes as appropriate for any violations of this AUP. Appropriate and safe use of the Internet is the responsibility of students, parents and Loudoun County Public Schools staff.

E. Disclaimer

The Loudoun County Public Schools makes no warranties of any kind, expressed or implied, for the network services it provides. LCPS is not responsible for any damages users may incur, including loss of data due to delays, non-deliveries, missed deliveries, equipment failures or service interruptions. LCPS is not responsible for the accuracy, nature or quality of information gathered from the Internet. LCPS is not responsible for personal property used to access division hardware or networks or the Internet or for any financial obligations resulting from Internet access provided by the division.

F. External Links

1. Purpose

It is useful to parents, students and staff for links to be included on the LCPS website to websites outside LCPS's control. The LCPS website is not a public forum or a limited public forum for any purposes. Links to external websites from the LCPS

website are established and maintained in accordance with these guidelines and must serve the educational mission of the school division. This policy provides reasonable guidelines which are viewpoint neutral on when and how links to external sources are permitted. Links to external websites may only be requested by teachers, principals, senior staff, and School Board members. LCPS shall warn all users when leaving the LCPS website that they do so at their own risk, that LCPS is not responsible for the content of linked sites, that LCPS does not endorse, approve, certify or control external websites, or any content posted on an external website.

2. Link Guidelines for Establishing a Link from LCPS to an External Website

Using the following acceptance criteria, LCPS principals and building administrators (or their supervisor) will review links associated with their respective school, facility, department or program under their supervision and decide whether it is appropriate and relevant in accordance with this policy. These guidelines will also govern the links requested by School Board members. All links must serve or be strictly related to the educational mission of the school division and no link will be permitted to an inappropriate website, which includes any website that:

- a. Exhibits hate, bias, discriminatory, lewd, obscene, pornographic, libelous, profane or otherwise defamatory content;
- b. Advocates or promotes the use of alcohol, tobacco, electronic cigarettes, or illegal drugs;
- c. Promotes or makes available adult or sexually oriented entertainment or materials;
- d. Promotes the unlawful possession of weapons, illegal gambling, or encourages the violation of law, School Board policies, or the *Student Rights and Responsibilities Handbook*;
- e. Advocates for or against a candidate for public office or promotes or opposes a ballot proposition, except the School Board may authorize a link to an external site on school-related ballot issues officially supported by the Loudoun County School Board; and
- f. Contains unauthorized commercial advertisements.

G. Forms and Violations

1. Student and parents will sign annually the attached Student/Parent Technology Usage Form which can be found in the Students' Rights & Responsibilities Handbook. Violations by students may result in discipline up to and including suspension or expulsion as well as possible criminal prosecution.
2. Employees will sign annually the Employee Handbook Acknowledgement Form. Violations by employees could result in discipline up to and including termination and/or possible criminal prosecution.

LOUDOUN COUNTY PUBLIC SCHOOLS
STUDENT/PARENT TECHNOLOGY USAGE FORM
(APPLICABLE TO ALL STUDENTS)



Return This Form To The School By September 1, 2017.

Student _____ / _____ / _____ / _____
(Please Print) Last Name First Name Student ID# Grade Level

School _____ Teacher _____

I/We have read the terms and conditions contained in this Acceptable Use Policy (AUP) (Policy §3060). I/We understand that any misuse or abuse of these terms and conditions will result in the suspension or revocation of those privileges, disciplinary actions up to and including expulsion from the Loudoun County Public Schools, and/or appropriate legal action.

**Parental Permission to use LCPS Technology Resources
and Web-Based Resources**

- ☐ I/We agree to the terms and conditions for my child to access LCPS technology and web-based resources.
- ☐ I/We DO NOT give permission for my child to access LCPS technology and web-based resources.

Best Practice Tip:



Parents can promote safe Internet use by:

- monitoring their child's Internet use at home;
- establishing rules for on-line behavior at home; and
- reinforcing Internet safety by discussing the positive and negative aspects of Internet use.

Student Signature: _____ Date: _____

Parent/Guardian Signature: _____ Date: _____

Please sign and return this form to your child's school.

(No Technology Access Will Be Permitted Without A Signed Form.)

LOUDOUN COUNTY PUBLIC SCHOOLS

Signature Form—**REQUIRED FOR ALL STUDENTS**

The *Student Rights and Responsibilities 2017–2018* is available at www.lcps.org under “Quick Links.” Parents/guardians should access the information and discuss it with their school-aged child(ren). Schools and public libraries can provide Internet access, if needed. If a printed copy of the information is needed, please contact the school and one will be provided.

After reviewing the document, this “Signature Form” must be signed and returned to the student’s homeroom teacher or signed online in ParentVUE found at www.lcps.org under the “Parents” tab by **September 1, 2017.**

Acknowledgment of Receipt of *Student Rights and Responsibilities, 2017–2018*

I/We acknowledge that I/we have access to *Student Rights and Responsibilities 2017–2018*, including bus safety rules and the Compulsory School Attendance Law. As evidenced by my/our signature below, I/we acknowledge the requirements of Loudoun County School Board’s standards of student conduct and the Compulsory School Attendance Law. As the parent/guardian, I/we agree to cooperate with school officials in managing my/our child’s conduct while he or she is at school, on the school bus, or in attendance at a school sponsored activity.

By signing the “Acknowledgment of Receipt,” parents/guardians shall not be deemed to waive but to expressly reserve their rights protected by the constitutions or laws of the United States or the Commonwealth. Parents/guardians shall have the right to express disagreement with a school or school division’s policies or decisions.

Media Release and Photographs *(see details in Students Rights & Responsibilities)*

Check one:

- ☐ I/We grant permission for my/our child (named below) to be photographed or featured in any videotape, television, audio recording, or broadcast that will be produced by and available to the public from LCPS, or (to the extent that access is within LCPS’s control during school hours) to the media.
- ☐ I/We do NOT grant permission for my/our child (named below) to be photographed or featured in any videotape, television, audio recording, or broadcast that will be produced by and available to the public from LCPS, or (to the extent that access is within LCPS’s control during school hours) to the media.

Check only if it applies:

- ☐ I/We do NOT grant permission for my child to be photographed for the school yearbook or in a classroom photograph.

Instructions (Return by Friday, September 1, 2017 or sign on ParentVue):

Elementary School Students: Parents/Guardians are required to complete and sign this form, and return it to the child’s school. Because of their age, elementary students are not expected to sign but may do so if desired.

Middle and High School Students: Parents/guardians and students are required to complete, sign, and return this form.

This form will be filed at your child’s school.

Student’s Name _____ Grade _____
Please Print

Student’s School ID Number _____

Signature of Student _____

Parent’s Name _____
Please Print

Signature of Parent or Guardian _____ Date _____

School _____ Homeroom _____

**This OPTIONAL form
should be returned to the student's high school
by September 1, 2017, if you do NOT want the information released.**

Release of Directory Information to Military Recruiters

The *Every Student Succeeds Act* requires school districts to release student names, addresses, and telephone numbers to military recruiters upon their request. The law requires the school district to notify students and parents of their right to opt out of having this information released. This notice is posted each year on the Loudoun County Public Schools website in *Student Rights and Responsibilities*, www.lcps.org.

Opt-Out Form for Release of Directory Information to Military Recruiters

- The Opt-Out Form is for High School Students and their Parents/Guardians.
- This request must be updated at the beginning of each school year.



Please complete this form and sign in ParentVUE or submit to the high school if you do **NOT** want to have directory information released to military recruiters. If you consent to having the information released, you do not need to submit this form.

School _____ Grade _____
Please print

Student's Legal Name _____ Grade _____
Please print

Students School ID Number _____

As a student or parent/guardian of a student, you have the right to request that your child's personal information not be released to military recruiters and others.

- ☐ I/We request that this student's name, address, and telephone number **NOT** be released to Armed Forces and Military Recruiters or Military Schools.

Signature of Student _____

Signature of Parent or Guardian _____ Date _____

