

Parent Handbook



**Cumberland County
Public Schools**

2023-2024

List of School Board Members and Administration

Ginger Sanderson, Chairman (District 3)

2234 Cartersville Road

Cartersville, VA 23027

p: (804) 375-9626

gsanderson@cucps.k12.va.us

Yvonne Earvin, Board Member (District 2)

P.O. Box 344

Cumberland, VA 23040

p: (804) 909-0049

yvonne_earvin@cucps.k12.va.us

Latesha Anderson, Board Member (District 3)

40 Hunters Trail

Cumberland, VA 23040

p: (434) 390-1270

latesha_anderson@cucps.k12.va.us

Leigh McCrea, Board Member (District 4)

p: (804) 491-8058

leigh_mccrea@cucps.k12.va.us

Everleane Randolph, Board Member (District 5)

136 Cooks Road

Farmville, VA 23901

P: (434) 607-6957

everleane_randolph@cucps.k12.va.us

Central Office Staff

Chip Jones, Division Superintendent

Elizabeth Jamerson, Assistant Superintendent of Human Resources

Bernice Ford, Director of Special Education

Sheri Almond, Director of Curriculum and Instruction

Jeff Dingeldein, Director of Technology, CTE, and Safety

Alphonso Bell, Transportation Coordinator

Margaret Dawson, Supervisor of School Nutrition

School Contact Information

Virginia S. Gills, Principal - (804) 492-4212 Cumberland Elementary School

Andrew Hoyt, Principal - (804) 492-4212 Cumberland Middle School

Missy Shores, Principal - (804) 492-4212 Cumberland High School

Section 2:

Instructional Programs

Adult Education

Adult education programs are offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program, including adult basic education, credit programs, cultural adult education, external diploma programs, general adult education, and high school equivalency programs, and who are function below the high school completion level. The School Board seeks to ensure that every individual participating in such a program has the opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education. Cumberland County Public Schools collaborates with Southside Virginia Community College for these services. Credits and diplomas are awarded in accordance with regulations established by the Board of Education. Information regarding adult education can be obtained by contacting the Southside Virginia Community College Adult Basic Education Coordinator at 434-736-2000.

Advanced Placement Classes and Special Programs

Students and their parents are notified of the availability of dual enrollment and advanced placement classes, career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences. Academic Year Governor's School Programs, the qualifications for enrolling in such classes, programs, and experiences and the availability of financial assistance to low-income and needy students to take the advanced placement examinations. Students and their parents are also notified of the program with a community college to enable students to complete an associate degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma. This information can be found at www.sites.google.com/cucps.k12.va.us/chs-school-counseling-/home/graduation-requirements

Alternatives to Animal Dissection

The Cumberland County School Board provides one or more alternatives to animal dissection for students enrolled in classes that incorporate dissection exercises. Parents should contact the school principal for procedures regarding alternatives.

Character Education

The Cumberland County School Board provides within its existing program or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the school division or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems and develop civic-minded students of

high character. The program is cooperatively developed with students, parents and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring and citizenship.

Character education is interwoven into the school procedures and environment so as to instruct primarily by example, illustration and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program also addresses the inappropriateness of bullying as defined in Va. Code §22.1-276.01. Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent's right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

The character education program:

- Specifies those character traits to be taught, selecting from those which are common to diverse social, cultural and religious groups;
- Is implemented at the elementary and secondary levels;
- Provides for relevant professional development and adequate resources; and
- Includes a method for program evaluation.

Character education is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500. May be taught as representative of such civic values.

Driver Education

The Cumberland County School Board offers a driver's education program for the safe operation of motor vehicles. The program includes instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, distracted driving, organ and tissue donor awareness, fuel-efficient driving practices and traffic stops, including law enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops and appropriate interactions with law enforcement officers who initiate traffic stops.

Any student who participates in a driving education program must meet the academic requirements established by the Board of Education. No student is permitted to operate a motor vehicle without a learner's permit or a license. Necessary certification of students' academic standing and compliance with compulsory attendance laws is provided by the administration to the Department of Motor Vehicles upon request in accordance with state law. Driver education instructors possess valid driver's licenses and maintain satisfactory driving records. Driver's education is taught in conjunction with Health and PE 10. The cost of Behind the Wheel is \$100.

English Learners

The Cumberland County School Board provides programs to improve the education of English learners by assisting the children to learn English and meet Virginia's challenging academic content and student academic achievement standards. The School Board accepts and provides programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their 12th birthday and who have not reached age 22 on or before August 1 of the school year. No tuition is charged such students, if state funding is provided for such programs. The School Board annually assess the English proficiency of all English learners.

The School Board, not later than 30 days after the beginning of the school year, informs a parent or the parents of an English learner identified for participation in, or participating in, a program for English learners, of

- the reason for the identification of their child as an English learner and in need of placement in a language instruction education program;
- the child's level of English proficiency, how that level was assessed and the status of the child's academic achievement;
- the method of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and native language in instruction;
- how the program in which their child is, or will be, participating will meet the educational strengths and needs of the child;
- how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for such program the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program);
- in the case of a child with a disability, how much program meets the objectives of the individualized education program of the child;
- information pertaining to parental rights that includes written guidance detailing the right that parents have to have their child immediately removed from such program upon their request and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available;
- assisting parents in selecting among various programs and methods of instruction if more than one program or method is offered by the school division.

For a child who has not been identified as an English learner prior to the beginning of the school year but is identified as an English learner during the school year, the School Board provides the notice detailed above within 2 weeks of the child being placed in the program. The information described above is provided to parents in an understandable and uniform format and to the extent practicable, in a language that the parent can understand.

Each high school principal or principal's designee notifies each English learner of the availability of testing accommodations available for industry certifications, state licensure examinations, national occupational competency assessments, the Armed Services Vocational Aptitude Battery and the Virginia workplace

readiness skills assessment prior to the student's participation in any such certification, examination, assessment, or battery.

Parents should contact the Supervisor of Special Education at 804-492-4212 with questions regarding English Learners.

Gifted Program

The Cumberland County School Board shall approve a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. The plan for the education of gifted students shall be accessible through the division's website and the division will ensure that printed copies of the plan are available to citizens who do not have online access. The school division has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual or specific academic aptitude.

The school division will provide written notification to and seek written consent from parents and legal guardians to conduct any required assessment to determine a referred student's eligibility for the division's gifted education program and provide services for an identified gifted student in the division's gifted education program.

The School Board may establish a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the school division, if established, the committee will annually review the division's plan for the education of gifted students, including revisions and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the division superintendent and the School Board.

Grading System

90-100 A

80-89 B

70-79 C

60-69 D

59 and Below F

Graduation Requirements

Cumberland County School Board awards diplomas and certificates in accordance with state laws and regulations. The requirements for a student to earn a diploma and graduate from high school are those in effect when the student enters ninth grade for the first time.

To graduate with a Standard Diploma for students entering the ninth grade for the first time in 2018-2019 and beyond, a student must earn at least 23 standard units of credit, which include Senior Project and 5 verified

units of credit. Students who entered the ninth grade for the first time in 2011-2012 through 2017-2018 must earn at least 23 standard units of credit which include Senior Project and 6 verified units of credit. Students earn standard credits by successfully completing required and elective courses. Students earn verified credits by successfully completing required courses and passing associated end-of-course SOL tests or other assessments approved by the state Board of Education.

To graduate with an Advanced Studies Diploma for students entering the ninth grade for the first time in 2018-2019 and beyond, a student must earn at least 27 standard units of credit which include Senior Project and 5 verified units of credit. Students entering the ninth grade for the first time in 2011-2012 through 2017-2018 must earn at least 27 standard units of credit which include Senior Project and at least 9 verified units of credit.

For specific courses needed for the Standard and Advanced Diplomas, parents should go to www.pen.k12.va.us/instruction/graduation/index.shtml.

High School Credit-Bearing courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The superintendent specifies, by regulation, the deadline and procedure for making such a request.

General Educational Development (GED)

The Board of Education has established a program of testing for general educational development (GED) through which persons may earn a high school equivalency certificate or a General Achievement Diploma.

Guidance and Counseling Services

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

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

Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling. No student is required to participate in any counseling program to which the student's parents object.

The guidance and counseling program does not include the use of counseling techniques which are beyond the scope of the professional certification or training of counselors, including hypnosis or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Parents may review materials to be used in guidance and counseling programs at their child's school by contacting the school counselor and/or principal.

Homeless Students

The Cumberland County School Board is committed to educating homeless children and youth. Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless. The school division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues. For additional information, parents should contact the Director of Curriculum and Instruction.

Learning Objectives

The learning objectives to be achieved at each child's grade level can be found at www.doe.virginia.gov/instruction/index.shtml.

Programs for Students with Disabilities

The Cumberland County School Board provides a free, appropriate public education for all children and youth with disabilities, ages 2 through 21, inclusive, who are residents of Cumberland County or who are not residents of Cumberland County but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the Board. To the maximum extent appropriate, students with disabilities are educated with children who are not disabled. An individualized Education Program (IEP) is developed and maintained for each child with a disability served by the Cumberland County School Board. The program is developed in a meeting of the child's IEP team, which includes the child's teachers, parent(s), the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parents or school division in accordance with State and federal law and regulations. This IEP is reviewed at least annually.

Promotion, Retention, and Remediation

In general, the following criteria are to be considered when making promotion/retention decisions.

- Academic achievement as evidenced by teacher evaluation, classroom assessments, products/portfolios, standardized achievement measures and Standards of Learning (SOL) test results.
- Social/emotional development as evidenced by observation of maturity, motivation, and attitude.

- Physical development, including chronological age, size, overall health and well-being.
- Other considerations including attendance extenuating circumstances, and transience.
- The following guidelines are to be followed in making a decision to retain a student in grades K-8.
 - Retention decisions are made at the school level and are based on the criteria outlined above.
 - Retention should be considered in cases where there is evidence it will benefit the student.
 - If retention of a student is being considered, there should be advance notification to parents in writing.

Specific requirements for promotion are as follows:

- Kindergarten students will meet or exceed standards as established by the curricula in mathematics, language arts, and reading,
- Grade 1 students will meet or exceed standards as established by the curricula in mathematics and English/reading and will receive “satisfactory” or better grades in mathematics, language arts, and reading.
- Grade 2 students will meet or exceed standards as established by the curricula in mathematics and English/reading, and will receive passing grades in mathematics, language arts, and reading.
- Grade 3 through 8 students will demonstrate academic achievement through multiple criteria which may include:
 - Meeting the standards as established by the curricula in reading, writing, mathematics, history, and science.
 - Passing grades in reading, writing, mathematics, history, and science.
 - Passing scores on Standard of Learning Assessments at the grade level.
 - Teacher recommendation for promotion.
 - Grade level or above scores on other standardized tests as available.

In accordance with graduation requirements, high school grade level classification is based on a student’s maximum potential to earn credit along with the following criteria:

- To be classified as a sophomore, a student must have passed the number of units equal to his/her maximum potential less 2 units (6). One unit must be English 9.
- To be classified as a junior, a student must have passed the number of units equal to his/her maximum potential less 3 units (13). One unit must be English 10.
- To be classified as a senior, a student must have passed the number of units equal to his/her maximum potential less 4 units (20). One unit must be English 11.

The promotion of students with disabilities will be based on criteria established by the Individual Education Plan (IEP), meeting standards for grade placement, and the graduation plan.

Students who pass a class but do not pass the associated Standards of Learning assessment must be provided the opportunity to participate in summer school at no cost. Successful completion of summer school may be required for promotion at any grade.

Remedial Summer Instruction Program

The School Board develops and implements programs of prevention, intervention, or remediation for students who are educationally at risk, including but not limited to those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight, or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research based.

Services for Students Identified as Deaf or Hard of Hearing or Visually Impaired

The Virginia Department of Education (VDOE) provides information on services for students with hearing and/or vision impairments at its website. The following resources are excerpted from the Virginia Department of Education's (VDOE) Web page, Specific Disabilities. VDOE's guidance documents should be provided to teachers and parents of these students. School divisions have permission to provide paper copies as well as alternative formats.

Other specific resources that should be available to teachers and parents include the following.

- Guidelines for Working with Students Who are Deaf or Hard of Hearing in Virginia Public Schools
- Guidelines for Working with Students Who Are Blind or Visually Impaired in Virginia Public Schools

Virginia School for the Deaf and Blind

The Virginia School for the Deaf and Blind (VSDB) is located in Staunton, Virginia, and provides a day program as well as a residential setting exclusively to students who are deaf, have a hearing impairment, blind or have a vision impairment, and who are deaf-blind. VSDB's admission policy is available on their website at www.vsdb.k12.va.us.

Virginia Department for the Deaf and Hard of Hearing (BDDHH)

The VDDHH provides standards for educational interpreting services and other services to reduce the communication barriers between persons who are deaf or hard of hearing and their families and the professionals who serve them.

Virginia Project for Children and Young Adults with Deaf-Blindness

This office provides technical assistance, training, distance education and networking information to families, service providers and individuals who are deaf-blind/dual sensory impaired.

Virginia Department for the Blind and Vision Impaired (VDBVI)

VDBVI's primary focus is to assist Virginians who are blind in achieving quality employment outcomes.

Virginia's Accessible Instructional Materials Center (VA-AIM)

VA-AIM's extensive library has developed an alternative system of providing accessible educational media under standards set by federal (NIMAS) to students who meet the federal requirements for print disabilities and who are accessing educational media under individual IEPs, as required under Part B of IDEA. AIM-VA in conjunction with partnering agencies, provides required accessible educational materials to students with an IEP and training for staff, at no cost to Local Education Agencies I In a timely fashion. www.kihd.gmu.edu/aim

Standards of Learning-Growth Assessment Information

In grades K-8 students are exposed to a curriculum aligned with the Standards of Learning. The students in grades 3-8 are expected to participate in the SOL testing program for each grade level. Schools will use the SOL test results in third through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students. Each student in middle and secondary school will take all applicable growth assessments. Students who successfully complete the requirements of the course and achieve a passing score on an end-of-course growth assessments will be awarded a verified unit of credit in that course. Students may earn verified credits in any courses for which end-of-course tests are available. Middle and secondary schools may consider the student's end-of-course test score in determining the student's final course grade.

Students with disabilities for whom participation in the SOL testing program is deemed inappropriate according to their individualized Education Program (IEP) or 504 plan will be expected to demonstrate proficiency on an alternative assessment prescribed by the Board of Education in accordance with federal laws and regulations beginning with the school year 2000-2001.

The standards of Learning for each grade can be found at the following website:
www.doe.virginia.gov/testing/index.shtml

Student Achievement

Schools that receive Title I funds must provide parents individual reports regarding their student's level of achievement and academic growth on the state's academic assessments. If applicable and available, as soon as is practicable after the assessment is given. The reports must be in an understandable format and to the extent practicable, be in a language that parents can understand.

Testing Transparency and Parent Opt Out

At the beginning of each school year, school divisions that receive Title I funds shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the division will provide (in a timely manner), information regarding any state or division policy regarding student participation in any assessments mandated by 20 U.S.C § 6311(b)(2) and by the state or division, which shall include a policy, procedure or parental right to opt the child out of such assessment where applicable.

In addition, divisions that receive Title I funds shall make widely available through public means (including by posting in a clear and easily accessible manner on the division's website and, where practicable, on the website of each school in the division, for each grade information on each assessment required by the state to comply with 20 U.S.C § 6111 other assessments required by the state and where such information is available and feasible to report specified information regarding assessments required division wide by the division.

Section 3:

Attendance

Attendance Policies

Student attendance is a cooperative effort, and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

Parents of students who are absent must inform the school of the reason for the absence no later than upon the student's return to school. Absences are excused for the following reasons.

- Funeral
- Illness
- Injury
- Legal obligations
- Medical procedures
- Suspensions
- Expulsion
- Religious observances
- Military obligation

The superintendent, by regulation, establishes procedures for appropriate interventions when a student engages in a pattern of absences for less than a full day, the explanation of which, if it were a full-day absence would not be an excused absence.

The superintendent's regulations include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations ensure that a student is not 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 which the student missed by reason of such absence if the absence is verified in an acceptable manner.

Students shall attend school for a full day unless excused by the principal or principal's designee.

High school students may spend a maximum of 180 school days each academic year participating in High School to Work Partnerships established pursuant to guidelines developed by the Board of Education. Students who miss a partial or full day of school while participating in Partnership programs are not counted as absent for the purposes of calculating average daily membership. The superintendent's regulations include procedures by which students may make up work missed while participating in a High School to Work Partnership.

Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

Compulsory Attendance Procedures

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall cause such child to attend a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Whenever a student fails to report to school on a regularly scheduled school day and no information has been received by school personnel that the student's parent is aware of and supports the absence, the school principal, principal's designee, attendance officer or other school personnel or volunteer notifies the parent by phone, email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused." Early intervention with the student and parent or parents takes place for repeated unexcused absences.

A. Upon Fifth Absence Without Parental Awareness and Support

If: (1) a pupil fails to report to school for a total of five scheduled school days for the school year, and (2) there is no indication that the pupil's parent is aware of and supports the absence, and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or principal's designee shall make a reasonable effort to ensure that direct contact is made with the parent in person, through telephone conversation, or through the use of other communication devices to obtain an explanation for the pupil's absence and to explain to the parent the consequences of continued nonattendance. The school principal or principal's designee, the pupil, and the pupil's parent shall jointly develop a plan to resolve the pupil's nonattendance. Such plan shall include documentation of the reasons for the pupil's nonattendance.

B. Upon Additional Absences Without Parental Awareness and Support

If the pupil is absent for more than one additional day after direct contact with the pupil's parent and school personnel have received no indication that the pupil's parent is aware of and supports the pupil's absence, the school principal or principal's designee shall schedule a conference with the pupil, the pupil's parent and school personnel. Such a conference may include the attendance officer and other community service providers to resolve issues related to the pupil's nonattendance. The conference shall be held no later than 10 school days after the tenth absence of the pupil, regardless of whether his parent approves of the conference. The conference team shall monitor the pupil's attendance and may meet again as necessary to address concerns and plan additional interventions if attendance does not improve. In circumstances in which the parent is intentionally noncompliant with compulsory attendance requirements or the pupil is resisting parental efforts to comply with compulsory attendance requirements, the principal or principal's designee shall make a referral to the attendance officer. The attendance officer shall schedule a conference with the pupil and pupil's parent within 10 school days and may (i) file a complaint with the juvenile and domestic relations district court alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228 or (ii) institute proceedings against the parent pursuant to Va. Code § 18.2-371 or § 22.1-262. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts to comply with the provisions of

this policy. In the event that both parents have been awarded joint physical custody pursuant to Va. Code § 20-124.2 and the school has received notice of such order, both parents shall be notified at the last known addresses of the parents.

Section 4:

Safety

School Crisis, Emergency Management and Medical Emergency Response Plan

Each school develops a written school crisis, emergency management and medical emergency response plan as defined below. The School Board annually reviews each school's plan and provides copies of such plans to the chief law-enforcement officer, the fire chief, the chief emergency medical services official and the emergency management official of the locality. The Department of Education and the Virginia Center for School and Campus Safety will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management and medical emergency response plan developed by the Board of Education and the Virginia Center for School and Campus Safety.

The School Board designates the Assistant Superintendent of Human Resources and Technology as the emergency manager.

Each school annually conducts school safety audits as defined below. The results of such school safety audits are available to the public within 90 days of completion upon written request. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act. Va Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or that officer's designee. Each school maintains a copy of the school's safety audit which may exclude such security plans, walk-through checklists and vulnerability assessment components within the office of the school principal and makes a copy of such report available for review upon written request.

Fire Drills

Each school holds a fire drill at least twice during the first 20 school days and once every month thereafter. Evacuation routes for students are posted in each room.

Lock-down Drills

Each school has a lock-down drill at least twice during the first 20 school days of each school session. Each school holds at least two additional lock-down drills during the remainder of the school session. Drills are different for students in Grades Pre-K and K. Lock-down plans and drills are in compliance with the Statewide Fire Prevention Code Va. Code § 27-94 et seq.

Tornado Drills

There is at least one tornado drill every school year in every school.

Earthquake Drills

Cumberland County Public Schools participates in the annual “Great Shakeout” event. This drill helps students prepare for the potential impacts of an earthquake. In Virginia, this event is coordinated by the Virginia Department of Emergency Management in conjunction with other partners.

School Bus Rider Safety Rules

1. Respect the driver and follow instructions.
2. Bus driver has the right to assign seats.
3. Remain seated, keep head and arms inside bus and hands to yourself.
4. Keep door and aisle clear of obstacles.
5. No pets, glass, or large items, including large band instruments will be allowed on the bus.
6. Do not throw anything, at anytime, on or out of the bus.
7. Be quiet when the dome lights on the interior of the bus are on.
8. Keep conversations quiet.
9. Use of profane language or obscene gestures is not allowed.
10. Cross the road in front of the bus, after waiting for the driver’s signal.
11. Present a permission slip, signed by the principal or designee, for riding a bus other than the regularly assigned bus.
12. Cell phones are not to be used on the bus.
13. Comply with all regulations in the Student Code of Conduct. Violations of the rules could result in a loss of bus riding privileges for a student.

School Bus Emergency Drills

Each school having school buses holds a drill in leaving school buses under emergency circumstances at least once during the first ninety calendar days of each school session and more often if necessary.

Section 5:

Health

Eating disorder Awareness Information

Eating disorders are serious health problems that usually start in childhood or adolescence and affect both girls and boys. With early diagnosis, eating disorders are treatable with a combination of nutritional, medical, and therapeutic supports. Recognizing the importance of early identification of at-risk students, the 2013 Virginia

General Assembly passed a law requiring each school board to provide parent educational information regarding eating disorders on an annual basis to students in the fifth through twelfth grades.

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

Parents who think their child may be showing signs of a possible eating disorder should contact their primary health care provider, school nurse, or one of the resources listed below.

Academy for Eating Disorders (AED)

www.eatingdisorderhope.com/information/help-overcome-eating-disorders/non-profits-organizations/aed

Families Empowered and Supporting Treatment of Eating Disorders (F.E.A.S.T.)

www.feast-ed.org

National Eating Disorders Association

www.nationaleatingdisorders.org

Toll free, confidential Helpline. 1-800-931-2237

Medicines at School

Cumberland County Public Schools requests that all doses of medication be administered by parents or guardians during non-school hours whenever possible and appropriate. When this is not possible or appropriate, the following regulations will be followed for the administration of medications and treatments.

In this policy the word “physician” will mean all professions legally authorized to prescribe medications in the Commonwealth of Virginia including, but not limited to nurse practitioners and dentists.

Non Prescription Medications

Grades K-8

- Parent or guardian must give written authorization to administer medication, including the exact dates, times and dosage.
- A physician’s prescription is not necessary.

Grades 9-12

- Parent or guardian must give written authorization stating name and strength of non-prescription medication and the frequency of administration. This authorization shall be valid for the school year.
- The medication will be in the original container and labeled with the manufacturer’s directions.

- The student's name will be affixed to the container.
- Only one day's supply shall be brought to school each day.
- The original copy of the parent or guardian permission shall be on file in the school nurse's office. The student shall carry a copy signed by the school nurse when it was received.
- Liquid medication shall be kept in the school health office.

Students authorized to possess non-prescription medications shall not distribute them to others and may be disciplined for doing so under Policy JFC-R.

Prescription Medications

The following requirements govern administration of prescriptive medications at school or school activities during school hours. Prescriptive medications will be administered only with a written physician's order and only under the following terms and conditions.

- A. All medication which requires administration at school or school activities during school hours shall be delivered by the parent or guardian to the school nurse, or if the nurse is not present, to staff in the main office of the school.
- B. Medication shall be maintained in the original container and appropriately labeled with the manufacturer's directions.
- C. Medication shall only be given with written parental permission for students who are minors (under age 18).
- D. Medication shall be stored in a locked space in the nurse's office at all times. Medication shall not be stored in the classroom, lockers or any location in the school.
- E. When medication must be administered during a field trip or other off-campus school activity, the medication shall be transported by the staff member designated to administer the medication in the original labeled container or a pill envelop on which complete label information has been written by the school nurse.
- F. The school nurse shall follow standard nursing practices when administering medication, including but not limited to, counting medications upon receiving and returning them, recording medication delivery and noting exceptions/variances. It is the right and obligation of the nurse to question medication orders that may be erroneous and/or harmful to verify the validity of any medication order.
- G. At the beginning of the school year all medications shall require new documentation for administration. There shall be no carry-over orders or medications.
- H. Only pre-filled epinephrine auto-injectors shall be accepted for use in school for epinephrine injections.

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

In order for a student to possess and use an inhaler and/or epi-pen, he/she must have written approval from the student's physician and parent or guardian. The principal and/or the school nurse must have received copies of these required approvals.

The physician's written approval must specify the minimum following information

1. The student's name and address,
2. The name of the medication,

3. The date the administration of the medication is to begin,
4. The date, if known, that the administration of the medication is to cease,
5. Written instructions which outline the procedures school personnel should follow in the event that the medication does not produce the expected relief from the student's attack,
6. Any severe adverse reactions that may occur to another student for whom the medication is not prescribed, should he/she receive a dose of the medication,
7. At least one emergency number for contacting the physician,
8. At least one emergency telephone number for contacting the parent, guardian or other person having care or charge of the student in an emergency, and
9. Any other special instructions from the physician.
10. Use of Epinephrine Auto-injectors
11. The prescriber's written approval must specify at least the following information
12. Student's name and address,
13. Names and dose of medication contained in the auto-injector,
14. The date the administration of the medication is to begin and, if known, the date administration of the medication is to cease,
15. Acknowledgment that the prescriber has determined that the student is capable of possessing and using the epi-pen appropriately and has provided the student with training in the proper use of the epi-pen,
16. Circumstances in which the epi-pen should be used,
17. Written instructions that outline procedures school personnel should follow if the student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis allergic response,
18. Any severe reaction that the student may experience that should be reported to the prescriber or that may occur to another student for whom the medication is not prescribed if that student receives a dose of the medication,
19. At least one emergency telephone number each for contacting the prescriber and the parent, and any other special instructions from the prescriber.

Required Health Screenings

All children new to the division within 60 administrative working days will be screened for hearing and vision. Students in the lower grade levels will be screened for speech and fine/gross motor skills. The parent/guardian will be contacted by the school nurse with concerns. All students in grades Kindergarten, 3, 7 and 10 will be screened for vision and hearing within 60 administrative working days and the school nurse will notify the parents/guardian of any concerns. Each year, the state requires that school divisions notify all parents of students in grades 5-10 about a physical condition known as scoliosis. This condition affects about two or three percent of all adolescents and causes a curvature in the spine. The division's Scoliosis Information for Parents was developed in consultation with the University of Virginia Department of Pediatric Orthopedics.

Additional information can be obtained from the following link

www.doe.virginia.gov/special_ed/tech_asst_prof_dev/resource_local_screening.pdf

Section 6:

Food Service

Child Nutrition Programs

The Cumberland County school division provides free breakfasts, lunches and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program and the Special Milk Program. School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee establishes rules and procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals and milk is publicly announced at the beginning of each school year and provided to parents of all children in attendance at Cumberland County public schools.

The division's policy with regard to situations in which a student who is eligible for a reduced-price meal does not have money on account or in hand to cover the portion of the cost of the meal at the time of service is stated in Policy JHCH School Meals and Snacks. School Meals and Snacks Policy is delivered to all households at the start of the school year and to households that transfer into the school division during the school year. The students who participate in the free or reduced-cost meals and milk programs are not overly identified, distinguished or served differently than other students.

Unpaid Meal Charges

There is no charge to students who do not have money on account or in hand to cover the cost of a meal at the time of service.

Section 7:

School Closings

School Closing Procedure

The decision to close school due to inclement weather is made by the Superintendent or his/her designee after careful consideration based on information from local and national weather services, the National Weather Service, and the Virginia Department of Transportation. The following radio and television stations will announce school closings.

TELEVISION STATIONS

- Channel 6
- Channel 8
- Channel 12

RADIO STATIONS

- WVHL 92.9 FM

Information is also posted on the school webpage and on Facebook, Twitter, and Instagram.

Section 8:

Notices

Nondiscrimination

Cumberland County Public Schools does not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. This commitment prevails in all of its policies and practices concerning staff, students, education programs and services, and individuals and entities with whom the Board does business.

Acceptable Computer System Use Policy

The school board provides a computer system, including the Internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the Internet and other electronic services an internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of the division's computer system must be:

1. in support of education and/or research, or
2. for legitimate school business.

Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text message, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system the user agrees to abide by this policy.

The superintendent is responsible for establishing Technology Use Guidelines containing the appropriate uses, ethics and protocols for use of the computer system. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The guidelines include the following:

1. a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet.
2. provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers that seek to prevent access.
3. Child pornography as set out in Va. Code § 18.2-374.11 or as defined in 18 U.S.C. § 2256.
4. Obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460.
5. Material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-370, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors.
6. provisions establishing that the technology protection measure is enforced during any use of the division's computers.
7. provisions establishing that all usage of the computer system may be monitored.
8. provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, in chat rooms, and cyberbullying awareness and response.
9. provisions designed to prevent unauthorized online access by minors including "hacking" and other unlawful activities.
10. provisions requiring every user to protect the security of information necessary to access the computer system such as usernames and passwords, and prohibiting the sharing of passwords.
11. provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information or regarding minors; and
12. a component of Internet safety for students that integrated in the division's instructional program.

Use of the school division's computer system shall be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The division's computer system is not a public forum. Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices, including non-division own devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the superintendent or superintendent's designee. The failure of any user to follow the terms of the Agreement, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. The school board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the school board is not responsible for any unauthorized charges or fees resulting from access to the computer system.

Asbestos

Each school division must annually notify parents, employees and other building occupants about asbestos inspections, responsible actions, and post-response action activities. This information will be posted on the school division website under Required Notifications.

Availability of School Division Policies and Regulations

An up-to-date copy of the School Board policy and regulations manual is available at the School Board office. The policy and regulations manual also is available on the Cumberland County Public Schools Website at www.cucps.k12.va.us under Administration and School Board Members tabs.

Budget

The school division's annual budget is posted on the division website and hard copies are available upon request.

Fees

Elementary School – Student Activity Fee \$10.00

Middle School – Student Activity Fee \$15.00

High School – Student Activity Fee \$15.00

Class Dues

Freshman- \$20.00

Sophomore- \$15.00

Junior- \$10.00

Senior- \$5.00

Parking Decal for Juniors and Seniors

(Administration approval \$20.00)

Behind-The-Wheel Driver's Education \$100.00

Freshman and Sophomores are encouraged to rent a Physical Education locker for \$5.00.

(Fee waivers may be requested)

The School Board charges student fees and takes action to recover funds for the loss of or damage to School Board property in accordance with the state and federal law. No fee may be charged unless it has been approved by the School Board.

The School Board provides, free of charge, such textbooks as are required for courses of instruction for each child attending public schools. Consumable materials such as workbooks, writing books, and drawing books may be purchased by the School Board and either provided to students at no cost or sold to students at a retail price not to exceed seven percent added to the publisher's price. If sold, the School Board shall ensure that

workbooks, writing books, and drawing books are furnished to students who are unable to afford them at a reduced price or free of charge. Fees will not be charged to students for instructional materials, textbooks, or other materials used by School Board employee that are not directly used by a public school student.

Cost per Pupil

The estimated average per pupil cost for public education in the division for the upcoming school year can be found in the Superintendent's Annual Report found on the division website. A hard copy can be made available.

Pupil/Teacher Ratios

This information can be found in the Superintendent's Annual Report found on the division website. A hard copy can be made available.

Fees may be charged for the following:

1. Optional services such as parking or locker rental.
2. Student-selected extracurricular activities.
3. Class dues.
4. Field trips or educationally-related programs that are not required instructional activities.
5. Fees for musical instruments, as long as the instruction in the use of musical instruments is not part of the required curriculum.
6. Distance learning classes for enrichment which are not necessary to meet the requirements for a diploma.
7. Summer school, unless the classes are required for remediation as prescribed by the Standards of Quality.
8. Overdue, lost or damaged library books.
9. Lost or damaged textbooks.
10. Consumable materials such as workbooks, writing books, drawing books and fine arts materials and supplies, however, workbooks, writing books, drawing books and fine arts materials and supplies must be furnished to students who are unable to afford them at a reduced price or free of charge; fees may not be charged to students for instructional materials, textbooks, or other materials that are not directly used by a public school student.
11. The behind-the-wheel portion of the driver's education program.
12. A fee not to exceed a student's pro rata share of the cost of providing transportation for voluntary extracurricular activities.
13. The preparation and distribution of official paper copies of student transcripts, a reasonable number of copies of official paper copies must be provided for free before a charge is levied for additional official copies, official electronic copies of student transcripts must be provided for free.

Fees may not be charged 1) as a condition of school enrollment, except for students who are not of school age or who do not reside within the jurisdiction; 2) for instructional programs and activities, or materials required for instruction except as specified in by 8 VAC 20-720-80.H.; 3) for textbooks or textbook deposits, however, a reasonable fee or charge for lost or damaged textbooks may be charged; 4) for pupil transportation to and from school; or 5) for summer school programs or other forms of remediation required by the Standards of Quality.

Fees are reduced or waived for economically disadvantaged students and students whose families are undergoing economic hardships and are financially unable to pay them, including but not limited to, families receiving unemployment benefits or public assistance, including Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Medicaid, foster families, caring for children in foster care, and families that are homeless.

Each time a fee is charged, notice will be given that a fee waiver may be requested. The notice will include directions as to how to apply for a waiver.

This policy will be provided to parents annually and posted on the division's website under Required Notifications.

The consequences for nonpayment of fees include exclusion from the activity related to the fee.

No student's report card, diploma or class schedule will be withheld because of nonpayment of fees or charges. No student will be suspended or expelled for non-payment of fees or charges.

The School Board upon recommendation of the superintendent may take action against a pupil or the pupil's parent for any actual loss, breakage, or destruction of or failure to return property owned by or under the control of the School Board caused or committed by such pupil in pursuit of his studies. Such action may include seeking reimbursement from a pupil or pupil's parent for any sch loss, breakage, or destruction of or failure to return school property.

Postsecondary Education and Employment Data

Each school board's career and technical education program must include annual notice on its website to enrolled high school students and their parents of the availability of the postsecondary education and employment data published by the State Council of Higher Education and the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college or workforce center. Parents can find this information at www.cumberlandva.apptegy.us/o/cucps/page/cte--17

FERPA

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including:

- the right to inspect and review the student's education records and the procedure for exercising this right.
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right.
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- the type of information designated as directory information and the right to opt out of release of directory information.

- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information.
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest and.
- the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

Student Records

The Cumberland County School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws. The superintendent and/or his designee(s) is responsible for the collection of data, record maintenance and security access to, and use of records, confidentially of personal identifiable information, dissemination of information from records and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent also provides for notification of all school division personnel of policy and procedures for the management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time which shall not exceed 45 days and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education records.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records he or she wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Notification of Record Destruction

Cumberland County Public Schools maintains all permanent academic records in accordance with the State Board of Education's regulations and guidelines, the Code of Virginia, and the Records Management Division of the Library of Virginia, which manages the retention and destruction of all public agency records. Certain records, including Special Education records, discipline records, health, and immunization records, have a

retention period of five years after the student moves to another school district, graduates, or (for special education records) stops receiving special education services. CUCPS will shred all material that is no longer educationally useful at the end of the five-year period. If parents wish to review and/or have a copy of this data, they must contact the individual schools before the end of the retention period. This will constitute notice and no further notification will be given at the end of the five years.

Directory Information

Directory information is information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photography, date and place of birth, major field of study, grade level and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

Release of Student Records to Armed Forces Recruiters and Educational Institutions

The Cumberland County Public Schools provides, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student. The school division notifies parents of the option to make a request and complies with any request. The school division provides military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

Teacher Qualifications

At the beginning of each school year, schools that receive Title I funds must notify the parents of each student attending that parents may request information regarding the professional qualifications of the student's classroom teacher.

PPRA (Protection of Pupil Rights Amendment)

I. Instructional Materials and Surveys

A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with Policy KBA Requests for Information.

B. Participation in Surveys and Evaluations

No student shall be required as part of any federally funded program to submit to a survey, analysis, or evaluation that reveals information concerning the following:

1. political affiliations or beliefs of the student or the student's parent.
2. mental or psychological problems of the student or the student's family.
3. sex behavior attitudes.
4. illegal, anti-social, self-incriminating or demeaning behavior.
5. critical appraisals of other individuals with whom respondents have close family relationships.
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. religious practices, affiliations, or beliefs of the student or student's parent.
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) without the prior consent of the student (if the student is an adult or emancipated minor) or in the case of an unemancipated minor without the prior written consent of the parent.

C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions including in the questionnaire or survey, the purposes and age-appropriateness collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

Additional Protections

A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with Policy KBA Requests for Information.

All surveys must be approved by the Superintendent or his/her designee.

In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection 1.B above, the privacy of students to whom the survey is administered will be protected.

II. Physical Examinations and Screenings

If the Cumberland County School Division administers any physical examinations or screenings other than those required by Virginia law and surveys administered to a student in accordance with the Individuals with Disabilities Education Act, policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. Commercial Use of Information

Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale of commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

- College or other postsecondary education recruitment or military recruitment;
- Curriculum and instructional materials used by elementary schools and secondary schools;
- Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- The sale by students of products or services to raise funds for school-related or education-related activities.
- And student recognition programs.

IV. Notifications

Notification of Policies

The Board shall provide notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose); the administration of any survey containing one or more items listed in subsection 1.B. above, or any nonemergency, invasive physical examination or screening that is required as a condition of attendance,

administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or of other students.

Notification of Specific Events

The Board will directly notify the parent of a student at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled or expected to be schedule:

- activities involving the collection disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any nonemergency, invasive physical examination or screening that is required as a condition of attendance,
- book clubs, magazines, and programs providing access to low-cost literary products, administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student or of other students.

Definitions

Instructional material: the term “instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formal (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive physical examination: the term “invasive physical examination” means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent: the term “parent” includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives or a person who is legally responsible for the welfare of the child).

Personal information: the term “personal information” means individually identifiable information including

- a student’s or parent’s first and last name;
- a home or other physical address (including street name and the name of the city or town);
- a telephone number; or
- a Social Security identification number.

Survey: the term “survey” includes an evaluation.

National Assessment of Education Progress (NAEP)

Parents of children selected to participate in any NAEP assessment must be informed before the administration of any assessment that their child may be excused from participation for any reason, is not required to finish any authorized assessment and is not required to answer any test question. Parents and members of the public must have access to all assessment data, questions and complete and current assessment instruments of any NAEP assessment except personally identifiable information and questions that may be reused in the future. School divisions must make reasonable efforts to inform parents and the public about their rights of access to assessment data. If access is requested in writing, it must be provided within 45 days of the request and be made available in a secure setting that is convenient to both parties.

Internet Privacy

Internet Privacy information for Cumberland County Public Schools can be found at www.core-docs.s3amazonaws.com/documents/asset/uploaded_file/429215/Internet_Privacy_Notice.pdf as required.

Prosecution of Juveniles as Adults

The Cumberland County School Board will annually provide information developed by the Office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

Sex Offender Registry

The Cumberland County school division recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school attend school or are at school-related activities, each school in the Cumberland County school division shall request electronic notification of the registration or reregistration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police). Information is available at www.sex-offender.vsp.virginia.gov/sar

Parent & Family Engagement Policy

The Cumberland County School Board recognizes that the education of each student is a responsibility shared by the school and the student's family. The Cumberland County School Board endorses the parent and family engagement goals of Title I (20 U.S.C. § 6318) and encourages the regular participation by parents and family members of all children including those eligible for Title I and English learner programs in all aspects of those programs.

Quality Profiles

The Cumberland County School Board annually prepares and disseminates information on the school division and each school within the division. The information is concise, presented in an understandable and uniform format, and, to the extent practicable, presented in a language that parents can understand. The information is

accessible to the public and shows how students in the division achieved on the state's student academic assessments compared to students in the state as a whole and how students at individual schools achieved compared to students in the division and in the state.

Youth health Risk Behavior Survey

The school board must notify parents of each student enrolled in a middle or high school selected for participation in the survey of student health risk behaviors pursuant to Va. Code § 32.173.8 that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation in writing prior to administration of the survey. The notice must be in writing and be given at least 30 days prior to administration of the survey. The notice will inform the parent regarding:

- the nature and types of questions included in the survey,
- the purposes and age-appropriateness of the survey,
- how information collected by the survey will be used,
- who will have access to such information,
- whether and how any findings or results will be disclosed, and
- the steps that will be taken to protect students' privacy.

Parent have the right to review the survey prior to its administration. (VSBA Policy KFB Administration of Surveys and Questionnaires. Va. Code § 22.1-79.3.)

Pictures & Videos

School pictures are usually taken during the fall and sometimes during the spring. Students and parents will be informed in advance of the dates. Parents may choose to purchase or not purchase the pictures.

Throughout the school year, students may be photographed or videotaped in several different instances. These instances may occur during regular classroom activities, assemblies, sporting events, or special projects. These photos or videos may be used for classroom activities, yearbook, the local newspaper, and on the school and division webpage and social media accounts. Parents should notify the Office of the Principal within fifteen (15) days of enrollment if they do not want their child photographed or videotaped.

Section 9:

Prohibition Against Harassment and Retaliation

I. Policy Statement

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

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

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

The school division

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

II. Definitions

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

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

Prohibited Conduct

Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or the internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication substantially or unreasonably interferes with an individual's employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student's or employee's ability to participate in or benefit from the educational program or work environment). Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact.
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks.

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

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

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

Harassment Based on Race, National Origin, Disability or Religion

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

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program. Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

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

Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited, particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law. “Title IX” means 20 U.S.C. §§ 1681-1688 and the implementing regulations. “Title IX Coordinator” means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX.

The Title IX Coordinator may be contacted at titleIX@cucps.k12.va.us.

III. Complaint Procedures Report

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

The reporting party should use the form, Report of Harassment, GBA-F/JFHA-F, to make complaints of harassment. However, oral reports and other written reports are also accepted. The complaint, and identity of the person allegedly harassed and alleged harasser, will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. Additionally, a person allegedly harassed who wishes to remain anonymous shall be advised that such confidentiality may limit the School Division’s ability to fully respond to the complaint. After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process below is followed. If they cannot be sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures below. The Title IX Coordinator also determines whether the alleged harassment may also constitute criminal conduct and ensures that law enforcement officials are notified if necessary. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Social Services in accordance with Policy GAE Child Abuse and Neglect Reporting.

Investigation by Compliance Officer Generally

The Compliance Officer

- receives complaints of harassment referred by the Title IX Coordinator;
- conducts or oversees the investigation of any alleged harassment referred by the Title IX Coordinator;

- assesses the training needs of the school division in connection with complaints referred by the Title IX Coordinator;
- arranges necessary training; and
- ensures that any harassment investigation is conducted by an impartial investigator who is trained in the requirements of equal employment/education opportunity and has the authority to protect the alleged victim and others during the investigation.

Compliance Officer Formal Procedure

Upon receiving a referral of a complaint of alleged prohibited harassment from the Title IX Coordinator, the Compliance Officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be not later than 14 school days after referral of the complaint to the Compliance Officer. Upon receiving the complaint, the Compliance Officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of harassment and the person accused of harassment. Also, upon receiving the complaint, the Compliance Officer shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. If the Compliance Officer determines that more than 14 school days will be required to investigate the complaint, the person allegedly harassed and the alleged harasser shall be notified of the reason for the extended investigation and of the date by which the investigation will be concluded. The investigation may consist of personal interviews with the person allegedly harassed, the alleged harasser and any others who may have knowledge of the alleged harassment or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the alleged harasser and the person allegedly harassed. The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the person allegedly harassed and others pending the completion of the investigation.

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

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

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

Action by Superintendent

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

Appeal

If the superintendent or superintendent's designee determines that no prohibited harassment occurred, the employee or student who was allegedly subjected to harassment may appeal this finding to the School Board within 5 school days of receiving the decision. Notice of appeal must be filed with the superintendent who shall forward the record to the School Board.

The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party, the superintendent and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to both the alleged harasser and the person allegedly harassed. If the superintendent or superintendent's designee determines that prohibited harassment occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed. Employees may choose to pursue their complaints under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

Compliance Officer Informal Procedure

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

Sexual Harassment Prohibited by Title IX

Definitions

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

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

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

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

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

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Title IX Grievance Process

Generally

Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the

person's verbal or written report. The reporting party may use the form, Report of Harassment, GBA-F/JFHA-F, to make a complaint. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.

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

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

The School Board prominently displays the contact information for the Title IX Coordinator and this policy on its website and in each handbook or catalog it makes available to persons listed above who are entitled to notifications. Nothing herein precludes a respondent from being removed from the School Board's education program or activity on an emergency basis, provided that an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal. Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process.

This grievance process treats complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School Board's education program or activity. The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.

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

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

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

Notice of Allegations

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

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

The written notice

- includes a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
- informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process. If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.

Dismissal of formal complaints

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

- would not constitute sexual harassment prohibited by title IX even if proved,
- did not occur in the School Board's education program or activity, or
- did not occur against a person in the United States. Such a dismissal does not preclude action under another provision of the School Board's code of conduct or the superintendent's Standards of Student Conduct. A formal complaint or any allegations therein may be dismissed if at any time during the investigation:
 - a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - the respondent is no longer enrolled or employed by the School Board; or
 - specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Investigation of formal complaint

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

The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted. The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant or respondent is not limited in any meeting or grievance proceeding.

Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate. The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have

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

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

Determination regarding responsibility

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

The written determination must include the following:

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

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

The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals

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

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

Notification of appeal must be given in writing to the Title IX Coordinator. As to all appeals, the Title IX Coordinator

- notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
- ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and
- ensures that the decision-maker for the appeal complies with the standards set forth in title IX and this policy.

The appeal decision-maker

- gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
- issues a written decision describing the result of the appeal and the rationale for the result; and
- provides the written decision simultaneously to both parties and the Title IX Coordinator.

Timelines

The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed. A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker. Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.

Any appeal will be resolved within 15 calendar days from the filing of the appeal. If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action are

permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

Informal Resolution Process

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

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

- the parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- the parties, voluntarily and in writing, consent to the informal resolution process; and
- the informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the documentation and receive a copy, and forward it to the Title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed. Parties cannot be required to participate in an informal resolution process. An informal resolution process is not offered unless a formal complaint is filed.

Recordkeeping

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

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

For each response required under 34 C.F.R. § 106.44, the School Board must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IV. Retaliation

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

V. Right to Alternative Complaint Procedure

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

VI. Prevention and Notice of Policy

Training to prevent harassment prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training. This policy is (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school.

Further, all students, and their parents/guardians, and employees are notified annually of the names and contact information of the Compliance Officers.

VII. False Charges

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