Jefferson County Board of Education
Policy Manual

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Updated 7/17/18
Chapter 1–School District, Jefferson County, West Virginia

1.0 Board of Education

1.1 Name and Legal Status

The official title of the Board is "The Board of Education of the County of Jefferson (BOE)." A board of education in West Virginia is a quasi-public corporation, existing only under statute having only the powers given by statute and such implied powers as are necessary to execute such powers.

Reference: West Virginia Code Chapter 18, Article 5, Section 5

1.1A Procedure

The Board shall use Robert’s Rules of Order Newly Revised to conduct all meetings, deliberations, and debates.

1.2 Administrative Unit

The county board of education administers all of the free schools within the county school district, as created by the West Virginia Legislative in 1933.

Reference: §§18-1-3 and 18-5-5

1.3 Membership of the Board of Education

The Board shall be composed of five members, each of whom is elected for a term of four years unless filling an unexpired term. Members shall be nominated and elected by the voters of the county without reference to political party affiliation. No more than two members shall be elected from the same magisterial district (WV Code 18-5-1).

Eligibility to serve on the County Board of Education is expressly stated in WV Code 18-5-1a. The term of office of any member of the board shall immediately cease and a vacancy shall exist upon occurrence of ineligibility as prescribed in WV Code 18-5-1a.

Non-voting liaisons to the Board may include, at the option of the Board, representatives from the Jefferson County Education Association (JCEA), American Federation of Teachers (AFT), Jefferson County Schools Service Personnel Association (JCSSPA), West Virginia Education Association (WVEA), West Virginia Professional Educators (WVPE), a Principal and a student from each Jefferson County high schools.

Reference: §§18-5-1a and 18-5-1b
1.4 Officers

On the first Monday of July, following each biennial primary election, the Board shall organize and elect, for a two-year term, a president from its own membership and report the same promptly to the State Superintendent of Schools. A vice-president may also be elected at the same time. Reference: §18-5-1c

1.4.1 Duties of the President

The president shall preside at all meetings of the Board, shall sign all warrants and drafts, and all contracts made by the Board. The president shall also exercise such powers as may be assigned by statute or delegated to him/her by the Board, appoint special committees and shall act for the Board in emergencies requiring action before the Board of Education can be assembled. Such action shall be reported at the next regular meeting of the Board.

1.4.2 Duties of the Vice-President

In the absence of the president at any convened meeting of the Board, the vice-president serves in his/her stead. In case of the resignation or death of the president, the vice-president automatically becomes president for the unexpired term.

If the president for any reason vacates the chair or is absent, the vice-president should take the chair unless he disqualifies himself from presiding in the particular case.

If the president vacates the chair during a meeting and the vice-president is not available, the most senior member of the Board shall serve as a temporary chairman, as the president pro tem of the Board.

1.4.3 Duties of the Secretary

The superintendent of schools shall serve as secretary of the Board. His duties as prescribed by law are to:

A. Take the oath prescribed in the Constitution before performing any of the duties of his office.

B. Attend all board meetings and record its official proceedings in a book kept for that purpose.

C. Record the number of each order issued, the name of the payee, the purpose for which the order was issued, and the amount thereof. Every order shall be signed by the secretary and the president of the board.

D. Record and keep on file all papers and documents pertaining to the business of the board. Such documents shall be made available for public inspection upon request; unless such disclosure violates a federal or state statute protecting individual privacy.
E. Compile such reports as required by the board and make all reports as required by the State Superintendent of Schools. Such reports may be accompanied by explanations and comments, as he deems pertinent.

F. Keep the accounts and certify the reports required by law or requested by the Board.

G. Administer oaths to school officers, teachers and others making reports.

H. Deliver in proper condition to his successor all records and property pertaining to his office.

Exercise any and all other duties as are prescribed by law.

Reference: §18-5-25

1.4.4 Duties of the Treasurer

Prior to entering upon his or her duties, the treasurer shall execute a bond to be approved by the Board, in the amount to be fixed by the Board, such amount not to exceed the amount of school funds which it is estimated the treasurer will handle within any two-month period. The premium of such bond will be paid by the Board.

Funds on hand in any account at any one time which may be more than are normally required for the payment of incurred expenses may be invested by the treasurer of the county board with the state consolidated investment pool, or in guaranteed certificates of deposit issued by the depository or bank, or other guaranteed investments such as treasury bills, treasury notes or certificates of deposit issued by either the United States government or a banking institution in which federal or state guarantees are applicable. Interest earned in such investments is to be credited to the fund from which the moneys were originally available.

Reference: §18-9-6

1.5 Board Vacancies

1.5.1 Causes

Vacancies arise on the Board for the following reasons:

A. Death of a Board member.

B. Resignation of a Board member.

C. Failure of a Board member to meet the eligibility requirements by the state law, as expressed in West Virginia Code 18-5-1a.

1.5.2 Filling Vacancies

The Board shall by appointment, fill within forty-five days any vacancy
that occurs in its membership. Such appointment shall continue until the next primary or general election, whichever may first occur, when the voters shall elect a successor for the unexpired term. Failure of the Board to fill the vacancy within forty-five days automatically empowers the State Superintendent of Schools to appoint an individual to fill the vacancy. See WV Code 18-5-2.

Approved 08/24/15
Within 10 business days of public notification of vacancy, interested parties shall submit written application to the Superintendent as Secretary of the Board. The Board will only consider applicants who have completed written application by the deadline.

The Board may fill the vacancy through a majority vote of existing members to meet the forty-five day state mandated period.

1.5.3 Exception to Vacancy Election

Approved 10/21/03
Should a vacancy occur less than forty-five days preceding any primary or general election, such vacancy shall not be filled by election until the next succeeding primary or general election.

Reference: §§18-5-1 and 18-5-2

1.6 Oath of Members

Approved 10/21/03
Every Board member shall take the oath prescribed by Section 5, Article IV of the West Virginia Constitution, before performing any duties of office. A copy of the written oath, signed by the member, shall be filed with the secretary of the Board. The oath shall be administered by a person authorized to administer oaths.

Reference: §18-5-3

1.7 Qualifications of Members

1.7.1 Education

Approved 10/21/03
Any person elected or appointed to the Board on or after May 5, 1992, shall possess at least a high school diploma or a General Educational Development diploma. This provision shall not apply to members or members elect who have taken office prior to May 5, 1992, and whose term extends continuously beyond that date.

1.7.2 State Orientation

Approved 10/21/03
No person elected to the Board after July 1, 1990, shall assume the duties of office unless he/she has first attended and completed a course of orientation relating to boardmanship and governance effectiveness, given between the date of election and the beginning of the member's term of office.
Members appointed to the Board shall attend and complete the next such course offered following their appointment.

1.7.3 Continued Training

Each member shall attend and complete at least seven clock hours of training in areas relating to boardmanship and governance effectiveness approved by the West Virginia Board of Education and conducted by the West Virginia School Boards Association or by other organizations approved by the West Virginia Board of Education.

Failure to attend and complete such approved course of orientation and training, without good cause, shall constitute neglect of duty.

Reference: §18-5-1a

1.8 Code of Ethics

The public and members of the Board need a clear understanding of the high expectations the Board has of its members.

A. First and foremost, members are expected to strive to improve the quality and effectiveness of public education and to that end should:

1. Attend all regularly and specially called Board meetings insofar as possible and become informed concerning the issues to be considered at those meetings.

2. Recognize that members should endeavor to make policy decisions only after full discussion at publicly held Board meetings.

3. Render all decisions based on the available facts and independent judgment and refuse to surrender that judgment to individuals or special interest groups.

4. Encourage the free expression of opinion by all Board members and seek systematic communications between the Board and students, staff, and all elements of the community.

5. Work with other Board members to establish effective policies and to delegate authority for the administration of the schools to the superintendent.

6. Communicate to other Board members and the superintendent expressions of public reaction to the Board policies and school programs.

7. Each member should keep himself informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the West Virginia School Boards Association, the National School Boards Association and other educational related organizations.

8. Support the employment of persons best qualified to serve as school
staff and insist on regular and impartial evaluation of all staff.

9. Avoid being placed in positions of conflict of interest and refrain from using the position of board member for personal or partisan gain.

10. Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under the law.

11. Remember that the first and greatest concern must be the educational welfare of the students attending the public schools.

1.9 Meetings

1.9.1 Open Sessions

The Board is composed of the duly elected representatives of the citizens of the county, charged with the responsibility of fulfilling the citizens' education expectations. Consequently, official business of the Board shall be conducted only on legally called open sessions. Every effort shall be made to keep the public informed about their schools.

Reference: §6-9A-3

1.9.2 Annual Meetings

The Board shall meet the first Monday in July following each biennial general election. The purpose of the July meeting is to organize and elect a president for a two-year term. The Board shall at this meeting also set the time for the regular monthly meetings. In addition, the Board shall meet annually to fix the estimated tax levy rates and report the same to the State Tax Commissioner. This meeting shall be held at a time designated by the State Board of Education and in accordance with the West Virginia State Code §§18-5-4 and 18-9B-6a. At a meeting of the Board on or before the first Monday in May, the superintendent shall furnish in writing to the Board a list of those teachers to be considered for transfer and subsequent assignment for the following year.

1.9.3 Regular Meetings

The regular meeting of the Jefferson County Board of Education shall be held on the second and fourth Mondays of each month at 7:00 PM. The meeting place shall be the Board Room at the Board of Education Office building, 110 Mordington Avenue, Charles Town, West Virginia. The public will be notified of regular meetings in the local newspaper, on the website, educational cable channel for Jefferson County Schools and student/parent handbook. Notice shall include the location of the meeting.

All regular meetings of the Board shall adjourn by 10:30 PM unless the Board by a vote of two-thirds votes to extend said meeting. Such vote must include a specific time to adjourn. At 10:00 PM, if all items listed
on the agenda have not been addressed, the president, or presiding officer, shall, after consulting with the superintendent, reorder the remaining items on the agenda for action. All items not addressed by adjournment shall be included as agenda items on the next regular or special meeting of the Board.

1.9.4 Special Meetings

Approved 10/21/03

Special meetings may be called by the president or in written request by any three members of the Board. The only business, which can be transacted at the special meeting, is that designated in the call. A three-day notice shall be given to each Board member of all special meetings, except when such a meeting is called under emergency conditions. A signed statement of notification must be filed for all members whether they attend a special meeting or not. Notice of special meetings, except under emergency conditions, will be posted in the Board Office.

1.9.5 Adjourned Meetings

Approved 10/21/03

Any meeting adjourned for the purpose of continuing that meeting in a subsequent session is known as an adjourned meeting. The annual meeting held between March 7th and 28th to fix the estimated tax levy rates and report the same to the State Tax Commissioner adjourns to the third Tuesday in April. A subsequent session of an adjourned meeting is not a separate meeting. A Board member may not receive compensation for both the original meeting and the adjourned session.

Reference: §§ 18-5-1c and 4; 11-8-9 and 12a; and Board of Education Minutes, 7/14/75 (§ 6-9A-3)

1.9.6 Board of Education Report Format

Approved 3/23/06

Jefferson County employees making a presentation to the Board about a particular program, need or achievement shall adhere to the following guidelines.

A. Introduction – Narrative Summary

1. The introduction will consist of a brief summary of the program, project, presentation, or purchase.

2. The narrative should include information that reviews the goal involved, the present/existing situation, and any expected outcome, change, implementation, etc. It should include any specialized reporting, data or unique information where applicable.

B. Report – Data Analysis and Details

1. The report shall include a variety of data assessments. Possible sections should include school system needs, deficiencies, and/or achievements.
2. Analysis of this data may include such components as comparisons or defined strategies.

3. If applicable, bidding processes, such as cost savings or other benefits, should be outlined. Furthermore, purchasing details and specifications shall be provided.

4. A timeline for implementation shall be reported, and if needed, the plan for staff training shall be included.

C. Executive Summary Format
   1. Reports should be written with only factual information (i.e. attendance data, ESL numbers, energy hours saved, etc.) included.
   2. Written reports must be submitted for inclusion in the board agenda packets prepared for Board members.
   3. Copies of materials should be available for the press/audience. These copies must be given to the superintendent’s secretary along with the agenda items.

D. Oral report format
   1. An oral report shall last no longer than fifteen minutes.
   2. If there is a major presentation (one exceeding fifteen minutes), permission must be obtained from the superintendent prior to placement on the Board agenda.
   3. At the discretion of the Board of Education, all presentations exceeding the fifteen minute time limit not previously approved shall be terminated at the fifteen minute mark. A one minute warning shall be issued.
   4. In order to facilitate reports, it is encouraged but not required that questions regarding a presentation be submitted to the presenter prior to the board meetings.

1.10 Operation and Procedures

1.10.1 Quorum

   A majority of the existing elected or appointed members of the Board shall constitute a quorum necessary for the transaction of official business.

   Approved 10/21/03

1.10.2 Minutes

   The official minutes of the Board shall be kept in a safe place by the secretary of the Board, and shall be made available by him/her to any citizen desiring to examine them during the hours when the office of the secretary is open.

   Approved 10/21/03
1.10.3 Voting

All votes on motions and resolutions shall be by "ayes" and "nays," and the vote shall be recorded if not unanimous.

Source: Board of Education Minutes 2/29/72 and 1/25/73

1.10.4 Agenda

A. The agenda for the next meeting is prepared by the superintendent and Board President and sent to Board members at least four days prior to the regular meeting. Copies of the committee reports and reference items needed for clarification or examination shall be in readiness prior to the scheduled meeting.

B. Items of business may be suggested by Board members, the superintendent or patrons of the school district. Business items should be submitted in writing to the superintendent at least one week before the meeting in order to ensure inclusion on the written agenda.

Reference: § 6-9A-3

1.10.5 Public Participation

Any person wishing to speak before the Board shall sign in prior to the board meeting. Each group of callers is requested to name one of its members as spokesperson for said group. Each person or group will be allowed no more than three minutes to make the presentation.

The Board, through its presiding officer, reserves the right to limit speakers in both time and numbers, not to exceed twenty minutes. If the amounts of time or numbers of speakers require, the Board reserves the right to allow further time for public comment at the conclusion of items on the agenda.

All meetings of the Board shall be open to the general public, except during executive sessions pursuant to law.

1.10.6 News Coverage

Members of the local news media are invited to attend all open sessions of the Board. In addition, the superintendent may hold news conferences following the Board meetings.

1.10.7 Telephone Participation

Members of the Board may attend by telephone/electronic communication any regular, special, or emergency meeting of the Board if they are out of the area and unavailable to attend in person.
1.11 Role of the Jefferson County Board of Education

The Board has three primary functions:

A. The Board is the policy-making body for the Jefferson County School System. In this capacity, the Board is charged with the responsibility to articulate the aspirations and expectations the citizens have for their schools. These policy statements indicate what is wanted in the schools, why, and to what degree.

B. The Board provides broad guidelines for directing administrative action, and then holds the administrative team accountable for results.

C. The Board fulfills a communication function between the educators and the public. It communicates needs and desires to the administration and, in turn, explains programs to the public.

Source: Board of Education Minutes 9/27/73

1.12 Policy Development and Change

Any proposal to create new Board policy or to amend or substantially revise existing policy shall not be voted upon prior to the regular meeting next following the meeting at which the said action was proposed except that which is required without substantial change by State Board policy or code. In an emergency where imminent threat to life or property dictates immediate action, this rule may be suspended by a two-thirds majority vote of those Board members present at an official meeting.

1.13 Membership in School Board Associations

The Jefferson County Board of Education recognizes that one of the best sources of continuing insights into good boardmanship is gained through membership in the state and national school board associations. Consequently, when a majority of the Board votes to join the West Virginia School Board Association and the National School Boards Association, the annual dues may be paid through the expenditure of district funds.

Reference: § 18-5-4; Board of Education Minutes 9/27/73

1.14 School Board Effectiveness

School Board effectiveness is a direct result of involvement of schools, staff, parents, and community in decision making. Specific goals resulting from this involvement include the setting of broad guidelines for oversight procedures, development and implementation of standards of accountability, and future needs.

Reference: § 18-5-14

Measures to Promote School Board Effectiveness

Personnel policies of the district shall be reviewed annually in order to determine their effectiveness.
Broad guidelines will be set for the school district, including the establishment of specific oversight procedures, development, and implementation of standards of accountability and the development of long-range plans to meet future needs.

School-based accreditation and performance data provided by the State Board of Education and other available data will be used to meet the education goals of the state and such other goals as the Board may establish.

Communication Links to Promote School Board Effectiveness

Direct links shall be established as follows for the purpose of enabling the Board to receive information, comments, and suggestions directly regarding broad guidelines as referred to above.

School Improvement Councils

The Board shall meet at least annually with the full membership of each school improvement council at a time and in a manner determined by the Board. Full membership will be defined for this purpose as at least a quorum of the members.

At the conclusion of the school year, the Board shall report to the State Board of Education details concerning such meeting or meetings held with the local school improvement councils as specified herein, and such information shall become an indicator in the performance accreditation status for each county.

Nothing herein shall prohibit the Board from meeting with representatives of local school improvement councils, provided that at least one annual meeting is held as specified herein.

Other methods of providing direct links between the Board and local school improvement councils may include distribution of minutes of school improvement council meetings to the Board, as well as surveys, meetings with particular groups of school improvement councils, formal linkages, forums, town meetings, etc., as deemed appropriate by the Board.

School Faculty Senates

Direct links shall be established between the Board and school faculty senates for the purpose of enabling the Board to receive information, comments, suggestions directly from the faculty senate regarding the broad outlines for oversight procedures, standards of accountability, and planning for future needs.

Other methods of providing direct links between the Board and local faculty senates may include distribution of faculty senate meeting minutes to the Board, as well as surveys, meetings involving faculty senates, meetings with faculty senate chairs, formal linkages, forums, town meetings, etc., as deemed appropriate by the Board.

Community

Direct links shall be established between the Board and members of the community at large. Community involvement will be welcomed at Board meetings per the provisions of Jefferson County Board of Education Policy, Chapter 1, Section 1.10.5

The Board shall establish advisory committees, as needed, that report directly to
the Board of Education in an advisory capacity. Committees may include but are not limited to the following: Science and Technology, Facilities, Finance, Transportation, Cultural Diversity, and Impact.

The Board will regularly communicate with the public regarding important issues by other methods, which may include surveys, participation in Board meetings by invited individuals or groups, formal linkages with certain groups as designated, forums, town meetings, communication through newsletters, news media, etc., and other means as deemed appropriate by the Board.

1.15 Board Member Travel

Approved 10/21/03

All members of the Board may participate in educationally appropriate training and site visits that require overnight accommodations. In addition, Board members may be reimbursed for actual traveling expenses to attend meetings, seminars, legislative meetings and education related sessions. Members of the Board shall adhere to the same travel reimbursement restrictions as outlined by the superintendent to employees, except that members of the Board shall submit their travel request to the Board president for concurrence. The Board president shall request his/her travel request to the Board vice-president for concurrence. All local travel reimbursements that do not require overnight accommodations shall not require prior approval.

2.0 Superintendent

2.1 Appointment and Term

Approved 10/21/03

The Jefferson County Board of Education elects a county superintendent to serve a term of one to four years. Such election by the Board shall be made on or before the first day of May and he or she shall take office on the first day of July. In the event that a superintendent shall be appointed to fill an incomplete term, he/she shall be appointed to serve until the following first day of July. At the expiration of his/her term or terms of service, he or shall be given the status of teacher in the system unless dismissed for statutory reasons. Reference: §18-4-1

2.2 Qualifications

Approved 10/21/03

The superintendent at the time of election by the Board shall meet at least the minimum requirements specified by the state law and state board regulation.

Reference: §18-4-2

2.3 Removal and Suspension

Approved 10/21/03

The Board may remove the superintendent from office for official misconduct, insubordination, incompetence, neglect of duty or immorality. The charges shall be stated in writing and the superintendent shall be given an opportunity to be heard by the Board upon not less than ten days' notice.

The superintendent may be suspended by the Board, with or without pay, pending final disposition of such charges.
3.0 District Organization

3.1 Educational Goals

The Jefferson County School System is organized specifically to meet the educational needs of the citizens of Jefferson County. It is the intent of the Board and the administrative staff to see that comprehensive educational opportunities are provided throughout the organization for the enrolled student body.

3.2 Organizational Plan

The organizational plan in effect for Jefferson County is predicated on the belief that the focus should be on meeting individual needs. Therefore, the goal is to structure the elementary schools, which children generally attend for six years, around the concepts of flexible groupings and individualized instructional programs. The concern for the individual is retained through the middle and high school years.

3.3 Attendance Areas

Refer to Chapter 8, Section 2.1.

4.0 School Calendar and School Day

4.1 School Term

The Board shall provide a school term for its schools, which shall be comprised of (a) an employment term for teachers and (b) an instruction term for pupils. The school term, employment term and instructional term shall comply with the requirements of state law and state regulation.

4.2 School Day

The school day shall include a workday of seven and one-half hours for employees and an instructional day for students, which complies with the appropriate state regulatory requirements for early childhood, middle childhood or adolescent instruction.

4.3 School Calendar

The Board shall approve a school calendar in accordance with state law and state regulation for each school year, after receiving comments on the proposed calendar from employees.

Reference: §18-5-15; Board of Education Minutes 9/27/73

4.4 School Calendar – Instructional Make-Up Day Guidelines

Purpose

The purpose of this policy is to establish a prioritized guideline on what specific
days will be used as make-up instructional days as a result of school cancellations due to inclement weather or other calamitous event.

Application
This policy will apply to a school calendar year.

Implementation
A. The six designated OS days (outside school environment days) will not be converted until all out-of-calendar days and accrued time have been exhausted to instructional days. OS days will be protected and will be converted only after all other options have been exhausted.

B. Out-of-calendar days are designated by two asterisks (**): If the Wednesday and Friday of the Thanksgiving Holiday as well as December 24 through January 1 consist of out-of-calendar days, those days will be protected.

C. Accrued instructional time will be used in the following order:
   1. Faculty Senate Meetings
   2. Make-up of two-hour delays or dismissals
   3. Full or partial loss of instructional time

D. Instructional time missed due to two-hour delays, early dismissals, cancellation of full or partial day of instruction during the school year, (first and second semesters) will be made up in the following order to ensure students receive 180 days of instruction:
   1. Out-of-calendar days ** in the order they occur in the second semester
   2. Out-of-calendar days ** during spring break
   3. Remaining accrued time will be used only for additional make-up day(s) if needed
   4. Any additional time will be made up after the regularly scheduled last day of school indicated by the **

5.0 Emergency Closings

The following are instances that would mandate emergency closings:
A. Early dismissal of school or schools due to inclement weather.
B. Evacuation of school due to emergency such as bomb threat, fire, civil disorder or other disaster or as directed by local law enforcement.
C. Cancellation of schools (prior to convening) due to weather or other cause.

Inclement Weather Policy

The following are instances that would mandate emergency closings:

1. We all know that weather, especially winter weather, can wreak havoc on the school year calendar with delays, closings, and make-up days. Jefferson
County Schools wants to help parents, staff, and the community prepare for any changes to the school schedule that might occur as a result of inclement weather or other emergency situations.

Decisions
The superintendent uses information obtained from local and national weather forecasts and JCS personnel, as well as; information from local, state, and county agencies when determining whether school should be cancelled, delayed, or dismissed early due to severe weather. The Coordinator of Transportation and an assembled weather team may begin as early as 3:00 am checking bus and pedestrian routes to formally identify road and walkway conditions first hand. After all the information has been gathered and evaluated, the decision to close or delay school is made by the Superintendent of Schools. This will be done as early as possible. In the vast majority of cases, this is made by 6:00 am on the morning in question.

Decisions about delaying or cancelling school or dismissing school early as a result of inclement weather or even the threat of inclement weather are never easy. However, we always err on the side of caution to keep our students and employees safe. When school must be delayed, dismissed early, or is closed, parents should make arrangements for childcare.

Parents have the right, on school days delayed due to inclement weather, not to send their children to school if they feel travel conditions are unsafe. Children will be marked absent for the time they are not in school and will receive an excused absence if a written excuse is provided.

Based on weather conditions and/or the situation at hand, the Superintendent may determine to delay, close, or dismiss school early on a per-school or system-wide basis. The time of a delay or an early dismissal will be at the discretion of the Superintendent. The Superintendent may also alter bus routes, relocate student drop-off or pick-up locations, and/or cancel bus routes altogether. All evening activities involving schools or school building use will be cancelled on days that are dismissed early or cancelled. These cancellations may be on a school by school basis or system-wide. The Superintendent may determine to continue with or cancel evening activities as situations arise or change. Notification will be given using various forms of technology and media outlets stated in the next section.

Please note that building administrators or their designee will remain in the office until confirmation from transportation of their last student being delivered. Classroom teachers and other professional staff must stay at their assigned location at least 15 minutes after the last bus has left school grounds.

Notification
Information about school cancelations, delays, and early dismissals will be posted on the JCS website at http://boe.jeff.k12.wv.us and also on the JCS channel 18 found on the local Comcast cable network. Parents may receive a phone alert message and email from information provided to your child’s
Please continue to update and monitor your contact information with the school.

Information will also be shared on:

- Local ABC, CBS, and NBC television stations
- Local radio stations

You may also obtain information about school closings and delays by subscribing to E-Alerts. This information can be obtained on the JCS website.

2. Employee Inclement Weather Procedures

Two Hour Delay

A school on two hour delay has a start time exactly two hours later. An employee at a school on two hour delay, who has a contract that is 240-days or less, is to be at work exactly two hours later than their normal arrival time. Employees with contracts that are 240 days or less who feel it is unsafe to travel to work have the right not to report. All employees with contracts that are 240 days or less who feel it is unsafe to travel on days that schools are delayed, but are required to report to work two hours later must do one of the following:

- Take an unscheduled LWC day.
- If you have already used up your LWC days, an unscheduled leave without pay must be taken.

All 261-day employees are to report to work on time. When schools are on delay and 261-day employees are required to be at work on time, 261-day employees who feel it is unsafe to travel have the right not to report. All 261-day employees who feel it is unsafe to travel on days that schools are delayed, but required to be at work on time must do one of the following:

- Take an unscheduled vacation day.
- Take an unscheduled LWC day.
- If you have already used up your vacation days and your LWC days, an unscheduled leave without pay must be taken.

School Closing Codes

- Code 1: JCS Schools are closed. All 261-day employees will report to work.
- Code 2: JCS Schools are closed. No personnel will report to work. (National, state, or regional emergency has been declared.)
Code 3: JCS Schools are closed. Essential personnel will report to work.

When schools are cancelled and 261-day employees are required to be at work, 261-day employees who feel that travel is unsafe have the right to not report. All 261-day employees who feel it is unsafe to travel on a day that schools are closed, but are required to be at work, must do the following:

- Take an unscheduled vacation day.
- Take an unscheduled LWC day.
- If you have already used up your vacation days and your LWC days, an unscheduled leave without pay day must be taken.

Please note that all building principals that are not contracted for 261 days and are not required to be on campus are still responsible for having their buildings secured, safe, and ready to open when a date is determined. These building principals are more than welcome to come in and work on days when school is cancelled so they can attend to the needs of their buildings. If they choose to do so, they need to contact their administrator, let them know they are in for a day or half day, and an adjustment can be made on their work calendar.

Building principals and department managers are reminded that they need to meet with their employees who have contracts greater than 200 days, but less than 261 days to adjust their work calendars, if necessary, after a school day has been cancelled.

6.0 Citizen’s Advisory Committee

6.1 Authorization

Approved 10/21/03

Since the schools of Jefferson County touch the lives of persons in the community, the members of the Jefferson County Board of Education desire to effectively represent the citizenry in acting in the interest of those whom the schools serve. Community input on concerned issues of the Board relative to the school system is of great importance in carrying out the goals of the Board. Therefore, for the purpose of obtaining full and accurate information concerning the needs of Jefferson County Schools, the Jefferson County Board of Education may appoint a committee composed of laypersons who shall serve in an advisory capacity. The group shall make recommendations, advise, and/or react to concerned issues and proposals of the members of the Jefferson County Board of Education.

6.2 Purpose

6.2.1 Role of the Committee

Approved 10/21/03

The Committee shall serve in an advisory capacity to the Jefferson County Board of Education. The Citizens' Advisory Committee shall arrive at

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1 Essential Personnel: 261 Building Administrators, Superintendents, Custodians, Maintenance, and Mechanics
its own decision concerning issues brought before the group; however, the
members of the Board are charged by law with the responsibility of
making a final decision and do not delegate this authority to this group.

6.2.2 Recommendations

Approved 10/21/03

When appointing the committee, members of the Board assume an
obligation to consider the opinions of the committee carefully. However,
while the members of the Board are not obligated to act on or agree with
all committee recommendations, the members will attempt to state
reasons when not concurring with committee recommendations.

6.2.3 Release of Studies

Approved 10/21/03

To obtain maximum effectiveness from committee studies and
recommendations, the results of committee studies should not be released
to the public either by word or written notice, until there is mutual
agreement between the committee and the members of the Jefferson
County Board of Education as to the time and manner in which such
releases are to be made.

6.2.4 Meetings

Approved 10/21/03

The committee shall meet as necessary to complete assigned tasks within
time frames set by the Board in addition to meetings called by the Board
and/or the Superintendent of Schools.

6.3 Membership

6.3.1 Selection

Approved 10/21/03

Committee members are to be selected from individuals who have
demonstrated an interest in the improvement of education programs and
services in Jefferson County and who are residents of the county.
Committee members will be chosen by majority vote of the members of the
Jefferson County Board of Education.

6.3.2 Term

Approved 10/21/03

Upon approval of the majority of the members of the Jefferson County
Board of Education, the appointed Citizens' Advisory Committee member
will serve for a term as designated by the Board.

6.3.3 Replacement

Approved 10/21/03

Any Citizens' Advisory Committee member who resigns or relinquishes
his/her membership because of lack of attendance or any other reason may
be replaced through the nomination procedure by the Board.

6.3.4 Maximum Limit

Approved 10/21/03

At no time shall the Citizens' Advisory Committee membership exceed
Excellence in Teaching and Learning

7.0 General Public Relations

7.1 Goals and Objectives

Approved 10/21/03

The Board has been supported by interested and concerned citizens. These citizens feel that their children deserve quality personnel and material necessary to produce a comprehensive educational program. A conscious effort has been made to include the public in all areas of planning and development in the school system. The Board and administration recognize that the public provides school facilities for the use of the enrolled student body in the regular school program. However, consistent with federal and state laws and local Board policies, community use of school facilities is welcomed.

7.2 Dissemination of Information

7.2.1 Public Information Program

Board Revision 6/01/04

When the Board meets in regular, special, or emergency sessions, it is conducting public business. Consequently, the public has a right to know what the Board is doing. The Board will extend an invitation to the area news media to attend all Board meetings. Board meetings are open to the general public and can be viewed on the educational public access channel. Board agendas are distributed and posted prior to each regular meeting in all school facilities, sent to the local media three days prior to the board of education meeting, and can be viewed on the web site address boe.jeff.k12.wv.us.

7.3 Parent and Community Involvement

7.3.1 Parent and Citizen Involvement in Education Policy

Approved 10/21/03

Mission Statement

Parent and citizen involvement is fundamental to a healthy system of public education. Strong partnerships between homes and schools are needed if quality education is to be provided to all children. Parents and teachers, by fostering a sense of cooperative responsibility, can reinforce each other’s efforts. Parents, as their children’s first and most enduring teachers, can compliment their children’s school learning and behavior by serving as collaborators in the educational process. The resulting home-school partnerships can have positive effects on parent, teacher, and student attitudes, classroom instruction, and on student achievement.

The term “parents,” as used in this policy, are those with legal or quasi-legal custodianship (i.e., biological, adoptive, foster parents). The term also expands to include family members (i.e., aunts, brothers, grandparents) and significant others whose involvement may be important to the child.

The intent of this policy is to increase parent involvement in the education of their children both in the home and in the school and foster cooperative
efforts between the home and the school at all levels.

Communications

For successful parent involvement in the schools, effective communications between the home and school are imperative. Home-school communications can be accomplished through:

1. An active parent-teacher organization at all schools.
2. Scheduled parent-teacher conferences at all schools.
3. Parent-teacher workshops for parents and teachers of students at all level.
4. School improvement councils at all schools.
5. Written communications, i.e., announcements, memorandums, etc., from all schools to parents.

Home-School Partnerships

Home-school partnerships will build positive home conditions that support school learning and behavior, provide school activities to involve parents, provide parents ways to assist their children at home, and provide avenues for parents to be active decision makers through parent volunteer programs as well as the activities that are included in the “Training” and “Communications” portions of this policy.

Evaluation

Evaluation of this process, Parent Involvement in Education, will be accomplished by a yearly survey of parents and students at grades two, five, eight and eleven as well as school personnel.

7.3.1.1 Chapter/Title I Parent Involvement Policy

Provisions for parent involvement in the Chapter I/Title I programs operated by the Jefferson County Board of Education will be accomplished in the following manner:

1. Each school served by Chapter I/Title I will have an active Chapter I/Title I Advisory Council comprised of at least five members of which a majority must be parents of Chapter I/Title I participants.

2. A county Chapter I/Title I Parent Advisory Council will meet two times a year. This council will be comprised of at least one member of each school Chapter I/Title I Advisory Council. A majority of this committee must be parents of Chapter I/Title I participants.

3. Further parent involvement will be facilitated through the following activities:
A. Notifying each child’s parents in a timely manner that the child has been selected to participate in Chapter/Title I and why the child has been selected

B. Informing each child’s parents of the instructional objectives for the child

C. Reporting to each child’s parents on the child’s progress

D. Establishing conferences between individual parents and teachers

E. Providing materials and suggestions to parents to help them promote the education of their children at home

F. Training parents to promote the education of their children at home

G. Providing timely information concerning the Chapter I/Title I Program including, for example, program plans and evaluations

H. Soliciting parents’ suggestions in the planning, development and operation of the program

I. Consulting with parents about how the school can work with parents to achieve program’s objectives

J. Providing timely responses to parent’s recommendations

K. Facilitating volunteer or paid participation by parents in school activities

L. Designating Local Education Agency parent coordinators

7.3.2 Visitors to School

Approved 10/21/03

Members of the public and visiting professionals are welcome in the schools of the district. In order to insure the continued orderly operation of programs and schedules, visitors are requested to observe the following regulations:

A. Visitors to the school shall report to the main office before going to other points in the school.

B. Visitors not properly reporting to the office will be asked to leave the premises.

C. Visitors who wish to see a teacher should make prior arrangements with the teacher.

Reference: West Virginia Code 61, Trespassing on School Property
7.3.3 School Volunteers

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

7.3.3.1 Advisory Committees

The Board believes that in order to meet the educational needs of Jefferson County citizens, it is necessary periodically to establish advisory committees to assist the Board in its decision-making process.

Consistent with the recommendations of the National School Boards Association, the following principles shall guide the Board in its establishment of Advisory Committees: (1) Citizen groups should be broadly representative and not officers of PTO/PTA organizations; (2) recommendations should be based on research and facts; and (3) recommendations should be submitted to the school Board which alone has the authority to act upon them.

7.3.4 Gifts to Schools

Occasionally individuals or community organizations desire to make gifts to the school district or individual schools. The Board appreciates this expression of interest in our schools. In order to coordinate district-wide plans, people desiring to make gifts to the district or a school are asked to check first with the Superintendent of Schools and the respective building principal.

7.3.5 Jefferson County Education Foundation, Inc.

The Jefferson County Education Foundation has been established to serve as conduit for gifts and donations to the school system to be utilized for the enrichment of the entire system. The Foundation maintains tax-exempt status and is managed by a Board of Directors approved by the Board of Education. In addition, the Foundation operates under its own constitution and by-laws. The Foundation can be contacted through the Office of the Superintendent.

7.3.6 Public Use of School Records

During normal working hours, Jefferson County citizens have the right to inspect the public records of Jefferson County Schools. These include the
budget and the minutes of the Board as well as the Jefferson County Policy Manual and Administrative Regulations. The public does not have the right to have access to confidential information relating to students or staff members.

7.3.7 School Improvement Council

The council is to be implemented in accordance with West Virginia Code and West Virginia School Board Policy. The Board furthers requests that all councils notify them of any waiver requests submitted to the state superintendent. (State Code §§ 18-5A-1 through 3)

7.4 Loiterers/Trespassers/Intruders During and After School Hours


A. Denial of access to school grounds: The governing board, superintendent, principal, or any other employee assigned to a building, school, office, or work site, or a person designated in writing by the board or any of these persons may deny access to the buildings or grounds of the institution to any person who:

1. Is not a bona fide, currently registered student, staff, or faculty member at the institution and who does not have lawful business to pursue at the institution; or

2. Is a bona fide, currently registered student at the institution and has been suspended or expelled from the institution for the duration of the suspension or expulsion; or

3. Acts in a manner that disrupts or disturbs the normal educational functions of the institution.

B. Staff may demand identification: Administrative personnel and authorized employees of any public institution of elementary, secondary, or higher education may demand identification and evidence of qualification from any person who desires to use or enter the premises of the institution.

C. No person, a student in regular attendance, shall loiter in or about any school, school building or school grounds in violation of any posted rules or regulations governing the use of any such school without written permission from the principal.

D. Persons who violate the provisions of this policy, who refuse to leave the premises upon request and for cause, or who possess a firearm or other dangerous weapon shall be guilty of a crime and subject to punishment accordingly.

8.0 Organization Relations

8.1 Goals and Objectives

Recognizing that many organizations exist which, while not concerned explicitly
with the educational process, can contribute greatly to the process, the Board desires to actively promote relationships with such organizations.

8.1.1 Promotion of Relationships

Approved 6/01/04

The Board and administration will, through letters, resolutions, phone communication, conferences, etc., keep appropriate elected and appointed officials informed of the interests, concerns, and needs of the schools to the extent necessary.

8.1.2 School-General Government Relations

Approved 6/01/04

The Board desires to exchange freely with appropriate officials at the local, state, and national level so all understand the positions of one another. Support for public schools from governmental agencies including the County Commission, State Legislature, and Congress of the United States has become increasingly important.

8.2 State and Federal Government-School Relations

Approved 6/01/04

The Board will comply with all applicable state and federal rules and regulations.

8.3 School-Community Relations

Approved 6/01/04

Public education today must have the complete understanding of the community it serves. Every possible means of attaining this understanding must be developed by the school district.

The Board shall call public meetings for the purpose of discussing problems pertinent to the school program in the district. Special efforts shall be exerted in such meetings to solicit attendance and participation from appropriate members of the community.

8.3.1 Staff-Community Relations

Approved 6/01/04

Staff members are encouraged to participate in community and civic activities. These types of activities shall not in any way interfere with the employees' obligations to the school district.

8.4 Business and Labor Relations

Approved 6/01/04

The Board recognizes the need for close cooperation and coordination between the school system and business and industry in Jefferson County and adjoining areas. It endorses the concept of close liaison between the system and the business community generally and specially encourages close cooperation between the students and staff at James Rumsey and the business community.

The Board encourages relationships with local businesses and industries through the School-Business Partnership Program. The Board supports the concept that each school maintains a relationship through this program with at least one area business or industry.
9.0 Educational Agency Relations

9.1 Philosophy

Approved 6/01/04

It is the intent of the Board to establish constructive working relationships with other professional agencies and organizations on the regional, state, and national levels.

9.2 Local and State Relations

9.2.1 Cultural Institutes

Approved 6/01/04

The Jefferson County schools are fortunate to be located in the heart of one of the most historic sections of the United States. From Antietam to Harpers Ferry to Washington, DC, to Shepherd University, an impressive array of historical, educational and enriching experiences may be integrated into the formal education program. Consequently, the Board endorses continued cooperation with the cultural institutions located within the region. Teachers and principals are to encourage student participation in appropriate activities through announcements, posters, etc., as to time, place, and cost.

9.2.2 Private Schools

Approved 6/01/04

The Board of Education will cooperate with parochial and private schools in matters of mutual benefit where not expressly prohibited by law.

The Board will comply with West Virginia Board of Education Policy 2330, Nonpublic School Accreditation, and West Virginia State Codes §§ 18-3-11, 18-5-18, 18-2E-5, and 18-2-6. Any nonpublic school wishing to be accredited by the Jefferson County Board of Education shall be required to follow the "Nonpublic School Accreditation Process."

9.2.3 Inter-district Relations

Approved 6/01/04

Worthwhile relationships have been cultivated between the Board and the neighboring Boards of Education in the Regional Education Services Agency VIII. Joint meetings of Board members and administrators from adjacent counties are an opportunity to share ideas, suggestions and alternative solutions to common problems.

The opportunities that are available for combined staff development programs for professional and service personnel are invaluable. The possibilities that exist for improving educational and service programs through joint district and regional cooperation are also extensive.

9.2.4 Regional Education Services Agencies

Approved 6/01/04

The Board believes in the importance of serving students, teachers, and staff through programs administered by the Regional Education Services Agency VIII. The Board will comply with Articles 18-2-26 and 18-9A-8a of the

“Excellence in Teaching and Learning”
9.3 Colleges and Universities

Approved 6/01/04

The Board promotes experiences with colleges and universities, particularly with Shepherd University because of its proximity to and interest in Jefferson County Schools. The Board also recognizes that it has an obligation to assist the progression in the preparation of new teachers. Therefore, subject to local circumstances, the Board shall allow a number of student teachers to gain their laboratory experiences in our schools.

9.4 U. S. Office of Education

Approved 6/01/04

The Board expects that the superintendent shall have a member of his administrative team establish communication with the U. S. Department of Education in order to keep abreast of the constantly changing guidelines, appropriations and interpretations that are used to implement the law. Without this relationship, it becomes difficult to generate adequate data upon which to make decisions to participate, or not participate, in specific federal programs.

9.5 Professional Visitors and Observers

Approved 6/01/04

One of the ways board members and staff members can improve their effectiveness, and thus quality of the education received by the county's students, is through visitation of school systems and districts with novel or innovative programs. For this reason, the Board has made it a practice to visit other systems throughout the country as time and finances permit.

It is the Board's policy to welcome professional visitors to the Jefferson County School System. Visits should be arranged through the superintendent's office to insure that the requested program be operational upon their arrival and to arrange for a visit assistant. A visit request may be denied due to standardized testing or another uninterruptible activity.

9.6 Research Conducted by Outside Agencies

Approved 6/01/04

Before any person can pursue research designed to obtain data via methodical and/or analytical studies about students in the Jefferson County Schools, they must first submit an abstract of their proposed study to the superintendent. The superintendent will then approve or deny the research and inform the Board of his/her decision.

10.0 Automatic External Defibrillation (AED) Policy

Approved 9/28/09

10.1 Introduction:

Each year approximately 340,000 people die from sudden cardiac arrest (SCA) including 5,000-7,000 children. The chance of survival decreases an estimated 10% each minute without defibrillation even when prompt bystander
Cardiopulmonary Resuscitation (CPR) is initiated. Use of an Automated External Defibrillator (AED) is intended to maximize the chance of survival based upon the steps taken during the critical minutes before emergency medical services (EMS) providers arrive and assume responsibility for the care of the patient. The following policy and procedures are designed to direct trained responders in the Jefferson County Schools to deliver early defibrillation to victims of SCA.

10.2 **Purpose:**

The purpose of the policy is to define and establish standard operating procedures that are required by Jefferson County Department of Public Health and Jefferson County Schools in order for the schools to acquire, maintain, and utilize AEDs. The policy will establish an early defibrillation program for Jefferson County Schools in compliance with West Virginia Code §§ 16-4D-1-4. The policy will identify AED program coordinators, site leaders, and the medical director.

10.3 **Objectives:**

1. Establish an AED program team to work in conjunction with local town and EMS personnel to provide access and education to the school community.
2. Educate school personnel to recognize the signs and symptoms of SCA.
3. Educate school personnel in the appropriate use of AEDs. Provide training and certification for interested individuals in CPR/AED.
4. Ensure compliance with West Virginia Code §§ 16-4D-104 regarding the use of AEDs.

10.4 **Individuals Responsible for the Jefferson County Schools AED program:**

The Jefferson County AED program is a combined effort between the individual schools and the Jefferson County Emergency Services.

1. **Program Coordinators**
   - Jefferson County Medical Director
   - Jefferson County EMS Director or Designee
   - JCS School Nurse
   - Coordinator of Student Support Services

2. **Program Site Leaders**
   - Individual School Nurses, teachers, administrators, Coaches, athletic directors or service personnel employees

10.5 **Responsibilities:**

1. The program coordinators and/or their designees in consultation with the medical director will:
   - Oversee all medical aspects of the program
- Register the program with the Office of Emergency Medical Services
- Ensure compliance with appropriate regulatory requirements of state law
- Ensure proper skills training and maintenance for AED responders
- Establish and review procedures for AED use
- Oversee the regular maintenance of all AED equipment

2. Program coordinators will also:
   - Coordinate, document, and maintain records of initial AED training, annual refresher, biennial retraining, and any additional training on an ad-hoc basis to designated AED trained staff
   - Assist with the development and implementation of AED programs
   - Act as liaison among the AED program participants
   - Coordinate and oversee non-medical aspects of the program
   - Coordinate documentation (relating to training, maintenance, use, and post incident data collection)
   - Coordinate training of AED certified staff
   - Maintain master list of all AED certified staff and training records
   - Act as a resource to the AED program medical director and site leaders

3. Medical Director will be a duly licensed physician in accordance with West Virginia Code § 16-4D-2 and will also:
   - Provide medical direction for the use of AEDs
   - Oversee the initial implementation process
   - Write a prescription for the use of AEDs
   - Serve as an advocate of this program
   - Review and approve guidelines for emergency procedures related to the use of AEDs and CPR
   - Conduct reviews of procedures after each use of the AEDs.

4. Site Leaders will:
   - Be responsible for maintaining building level lists of their building AED response teams
   - Be responsible for the day-to-day accountability of the AED program during the contracted school year
   - In the case of the Athletic Department; the Athletic Directors or other designated individual will be responsible for the dissemination and monitoring of the AED’s under his/her care
- Check AED equipment and accessories (by site leader/or designee) and report problems to the Program Coordinator
- Notify the Program Coordinator if a unit is out of service
- Retain copies of usage reports for documentation
- Be responsible for immediate post-incident debriefing
- Conduct yearly cardiac arrest drills.

10.6 Training:

1. Annual training and certification in Basic Life Support (BLS) according to currently accepted guidelines as provided by either the American Heart Association or the American Red Cross will be offered for all site team members. All personnel who are on the AED response teams are required to keep current documentation of CPR/AED training. The Site Leaders will be responsible for the coordination and documentation of initial AED training and annual refresher/biennial training for the site team members.

2. All coaches should be CPR/AED trained.

3. The on-site training will be coordinated and documented by the Site Leader with assistance from EMS liaison and program director.

10.7 Authorized Users of AEDs:

1. All AEDs on the market today are designed to be used by untrained individuals. For our purposes, any currently trained individual identified by each site leader may use AEDs. Employees may include but are not limited to: administrators, nurses, athletic directors/coaches, teachers, or office staff. Any trained volunteer who has a current CPR/AED training card may also respond to cardiac emergencies.

10.8 Responsibilities:

1. Responsibilities of AED trained employees
   - When a cardiac emergency occurs, an internal emergency response must be activated. Therefore, it is imperative that each site’s employees be made aware of whom the AED response team members are at each location. Team members will be responsible for providing prompt, basic life support including CPR and AED if it is called for until EMS arrives. Team members are also responsible for understanding and complying with this policy and all guidelines.

2. Responsibilities of volunteer responders
   - Anyone can, at their discretion, provide voluntary assistance to victims of a cardiac emergency. The extent to which they respond should be appropriate to their training and/or experience. AEDs are technologically advanced to the point that all necessary instructions will be given. Responders will be encouraged to follow AED procedures
given, any other emergency action instructions, and take part in an incident review following use of our AEDs.

3. Site office staff responsibilities
   - The building office staff will be responsible for receiving internal emergency calls. They will make the 9-1-1 call (if not already made) and be available to place other emergency calls as necessary. It is very important to notify EMS personnel that an AED is on site and being utilized. They will assist with the deployment of AED response team members to the emergency location. They will also be responsible to assign someone to meet EMS personnel upon their arrival and direct them to the emergency location.

10.9 Use of AEDs:
   - When a cardiac emergency occurs, the procedures outlined in the Jefferson County Schools’ AED Standard Operating Procedures will be utilized.
   - Approved emergency action instructions will be included within each AED box and will be reviewed annually by the Site Leaders and all staff members at the beginning of each school year. There will also be a chart which includes date(s) of inspections, maintenance, and date(s)/description of use.
   - Evaluation of incident response/review of protocols will take place annually and after any use of the AED.
   - A post event review will be conducted by the Program Coordinator (or their designee) in coordination with the Medical director. All key participants should participate. Items included in the discussion will include but are not limited to; identification of procedures used and if they did or did not work or go well and what the opportunities for quality improvement might be.

10.10 Locations:

Location of AED’s will be determined by the results of needs surveys and building size. An annual review of the AED locations will be conducted in coordination with the Medical Director, Program Director, and County EMS Personnel.

10.11 Maintenance:
   - Defibrillators require little maintenance. The machine itself will perform daily tests to assure readiness and is equipped with an indicator that shows if the device is ready for use. All equipment and accessories necessary for support of medical emergency response shall be maintained in a state of readiness. Specific maintenance requirements include:
   - Each site office shall be informed of changes in availability of emergency medical response equipment. If equipment is withdrawn from service, the main site office shall be informed and then notified when equipment is returned to service.
   - The site team leaders shall be responsible for informing response teams of changes to availability of emergency medical equipment.
- The AED Program Coordinator or designee shall be responsible for having regular equipment maintenance performed. All maintenance tasks shall be performed according to equipment maintenance procedures as outlined in the operating instructions.

- Following use of emergency response equipment, all equipment shall be cleaned and/or decontaminated as required.

- The AED will perform a self-diagnostic test that includes a check of battery strength and evaluation of internal components. If any specific actions are called for by the diagnostic tests, the machine will notify the sites of its needs with a screen message.

- Each time a defibrillator is used on an individual:
  - Inspect exterior and pad connector ports for contamination. Clean appropriately.
  - Replace any needed supplies and accessories. Reorder as necessary.

10.12 Post-Event Activities:

After any AED response:

- The Site team leader will notify the Program Coordinator of an event as soon as possible and within 24 hours. The Medical Director will be notified immediately thereafter.

- Data from the AEDs will be removed, labeled with patient information, and delivered to Program Coordinator for post event review.

- The AED must be checked and equipment (i.e. pads) replaced as soon as possible so that the machine can be returned to service.

10.13 Program Assessment and Review:

Any actual SCA event will be reviewed by the Program Coordinator and Medical Director to ensure that the protocol was followed and to assess the performance and response of all team members. Recommendations for change and improvement should be discussed with team members as soon as possible after the event.

This policy shall be reviewed yearly or as required by changes in early defibrillation programs, state/local regulations or school district policy.
Chapter 2 – General Administration

1.0 Administrative Team

1.1 Goals and Objectives

The Jefferson County Schools shall provide dynamic leadership for the professional and service staff to achieve the district's educational goals.

The team is responsible for overseeing the implementing of the policies of the Board in the day-to-day operation of the school district.

1.2 Organizational Chart

See Appendix 1 at the end of Chapter 2.

1.3 Positions, Compensation and Team

The superintendent shall recommend to the Board of Education the number and types of administrative personnel that he/she deems necessary to facilitate the administration of the Jefferson County School System. He/she shall recommend the duties, responsibilities, term of employment, and compensation guidelines for central office administrators.

2.0 Board – School Superintendent Relations

The Board and Superintendent have no greater responsibility than establishing a good working relationship. The superintendent is the Chief Executive Officer and principal contact between the Board and the staff.

1. The superintendent shall seek guidance from the Board with respect to matters of operation whenever needed. When it may be necessary to make exceptions to an established policy, he shall submit such matters to the Board of Education for advice and direction.

2. The superintendent shall assist the Board in reaching sound judgments, establishing policies, and he shall place before the Board all relevant facts, information, and reports necessary to keep the Board adequately informed concerning situations or business at hand.

3.0 Positions and Duties – Central Office

The administrative team at the central office consists of the following positions:

3.1 Superintendent of Schools

The individual occupying this position is the Chief Executive Officer of the Board and is accountable to the Board Members for the overall operation of the Jefferson County Schools. It is the duty of the superintendent to organize the administrative,
professional, and service personnel. (§ 18-4-10)

Central Office Staff: See Appendix 1 at the end of Chapter 2.

4.0 Positions and Duties – Schools

Job descriptions are on file in the Office of Human Resources and updated on the occurrence of a vacancy.

4.1 Principal
4.2 Assistant Principal
4.3 Department Chair
4.4 Lead Teacher
4.5 Team Leader
4.6 Head Teacher
4.7 Athletic Director

5.0 Nepotism

5.0 This policy becomes effective July 1, 2006

The Board will not allow a relative to be employed in a supervisory position that supervises or evaluates another relative. However, that individual may be employed in some other location within the system.

No member of the Board may have a relative serve in a supervisory position in the central office or as a principal. Relative shall be defined as father, mother, son, daughter, brother, sister, husband, wife, uncle, aunt, cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister or any person living in a household with an employee.

Supervision means the authority to direct, recommend scheduling or formally evaluate daily work activities. Also for the purposes of this policy, classroom teachers and bus operators shall be regarded as supervisors of aides who are assigned to attend to students within such teacher’s classroom or who ride such bus operator’s bus.

6.0 Substitute Professionals in Critical Areas of Need and Shortage

The purpose of this policy, as recommended by the superintendent, is to provide for the employment of retired teachers as substitutes in areas of critical need and shortage and to do so for periods of time in excess of 140 days without reducing such teachers’ retirement benefits.
The Jefferson County Board of Education hereby adopts the definition of “area of critical need and shortage” set forth in § 18A-2-3, Code of West Virginia, as follows: “Area of critical need and shortage” means an area of certification and training in which the number of available substitute teachers in the county who hold certification and training in that area and who are not retired is insufficient to meet the projected need for substitute teachers.

The Board additionally finds and determines that:

Revised 10/8/12

A. there presently exists within Jefferson County a critical need for substitute teachers in the areas of:

1. Special Education (K-12)
2. Language Arts, Reading
3. English
4. Mathematics
5. Science
6. Foreign Language
7. Gifted Education

B. and that, there is also a shortage of available certified substitute teachers, who are not retired available to cover these areas of critical need.

Accordingly, the Board hereby authorizes the employment of such number of retired teachers as substitute teachers during the 2012-2013 school year on an expanded basis in those areas of critical need and shortage noted hereinabove as is recommended by the superintendent. Provided, that in no case shall a retired teacher be employed where there is available for employment another teacher holding certification and training in the area of need who is not retired and who will accept the substitute assignment.

This policy shall be effective upon approval by the state board for one year only, submit to annual renewal by the county board and re-approval by the state board.

Prior to employment of a substitute teacher beyond the post-retirement employment limitations established by the consolidated public retirement board, the superintendent shall submit to the consolidated public retirement board and the state board of education, in form approved by the retirement board, an affidavit, signed by the superintendent, stating the name of this board of education, the fact that this policy has been adopted for the purpose of employment retired teachers as substitutes to address areas of critical need and shortage and the name or names of the person or persons to be employed pursuant to the policy.

When a retired teacher is employed as a substitute to fill a vacant position, the county board shall continue to post the vacant position until it is filled with a regularly employed teacher.

The county superintendent shall forward a copy of this policy annually to the state superintendent of schools for approval by the state board of education prior to employment of retired teachers as a substitute for more than 140 days in areas of critical need and shortage.
Every contract of employment for such retired teachers to be employed for periods beyond the post-retirement employment limitations established by the consolidated public retirement board shall include therein the following information:

Any person who retires and begins work as a substitute teacher within the same employment term shall lose those retirement benefits attributed to the annuity reserve, effective from the first day of employment as a retiree substitute in that employment term and ending with the month following the date of retiree ceases to perform service as a substitute.

Retired teachers employed to perform expanded substitute service provided in this policy, are considered day-to-day, temporary, part-time employee. The substitutes are not eligible for additional pension or other benefits paid to regularly employed employees and shall not accrue seniority.

§ 18A-2-3 and 18-7A-38, Code of West Virginia

7.0 Vehicles Owned by the Board of Education

7.1 Driver Education Vehicles

1. A driver education vehicle will only be used for instructional purposes related to the driver education program during the 200 day instructional calendar.

2. Permission for appropriate use of a driver education car on a day that falls outside the 200 day instructional calendar must be requested in writing to the superintendent (i.e. administrative purposes as relates for job duties).

3. Driver education vehicles used for purposes other than instruction must have the driver education signage removed.

4. The transportation department will be responsible for the maintenance and storage of the driver education vehicles when the vehicles are not being used by the driver education program.
Chapter 3 – Fiscal Management

1.0 General Administration

1.1 Uniform Accounting Procedures

1.1.1 Requirement for Uniform System

The administration shall use a uniform financial accounting system.

1.1.2 Monthly Financial Report

A monthly financial report shall be prepared. This report shall be submitted electronically to the division of school finance by the tenth of the following month. The Board members shall receive a monthly financial report.

1.1.3 Annual Financial Statement

An annual financial statement shall be prepared by the Board of Education within sixty days after the end of each fiscal year. This statement shall include the receipts and expenditures of the Board during the previous fiscal year.

As soon as is practical following the close of the fiscal year, a copy of the published statement herein required shall be filed by the Board with the State Superintendent of Schools.

1.2 Debt Limitation – Amounts of and Limitations of Levies

See School Laws of West Virginia: § 11-8-6c.

1.3 Depository of Funds

The treasurer will collect school money for the district. The treasurer will disburse and keep accounts of the money. The treasurer shall pay money only upon the order of the Board. The order shall specify the amount to be paid, the purpose for which it is paid, and the fund to which it shall be charged. The order shall be signed by the president, countersigned by the secretary and treasurer.

1.4 Bonded Employees

The Board shall provide that the superintendent, president of the Board of Education, and treasurer shall be covered by a fidelity bond. A blanket fidelity bond shall cover all other employees.

1.5 Audits

Regular annual audits of board funds including all federal programs shall be made

“Excellence in Teaching and Learning”
by an independent certified public accountant or representative of the State Auditor’s Office as approved by the Board of Education.

1.6 **Payroll Procedure**

   Approved 10/21/03

   The employees of the Board shall be paid on a semi-monthly basis. All checks shall be issued on or before the tenth and twenty-fifth days of the month for all employees.

1.7 **Purchasing of Goods and Services**

   Approved 10/21/03

   The Board has authorized the county superintendent to act as its agent in purchasing supplies and materials for the operation of the schools within the limits of the approved budget and will adhere to all guidelines as defined in the Purchasing Policies and Procedures Manual (State Board of Education Policy 8200). (Appendix 1)

1.8 **Emergency Purchasing**

   Approved 8/25/05

   The Emergency Purchasing policy will go into effect for the immediate safety of the students, staff, and protection of board owned facilities. In case of any such emergency, the appropriate staff will take the following actions:

   A. The coordinator of maintenance will assess the situation and make recommendations to the director of operations. The director of operations will notify the superintendent.

   B. Any actions taken on behalf of the Jefferson County Board of Education in an emergency situation will be the sole responsibility of the superintendent.

   C. Due consideration will be given to the most cost effective and/or expedient solution to stabilize the situation until the Board of Education Members are called for an emergency session.

   D. After the emergency situation has been stabilized, all necessary paperwork shall be filed according to current policies and procedures.

   E. In case of extreme emergency, and if the Director of Operations and/or superintendent cannot be reached, the coordinator of maintenance can act in the best interest of the school system.

2.0 **Budget**

   Approved 10/21/03

   The Board shall establish priorities, which shall be reflected in the annual budget, prior to March 1.

2.1 **Fiscal Year**

   Approved 10/21/03

   The annual operating budget is for one fiscal year. The fiscal year runs from July 1 to the subsequent June 30. Legal Reference: School Laws of West Virginia: § 18-1-2
2.2 Preliminary Adoption Procedures

Approved 10/21/03

Refer to School Laws of West Virginia: §§ 18-9-1, 18-9B-6a, and 11-8-12

2.3 Final Adoption Procedures

Approved 10/21/03

Refer to School Laws of West Virginia: §§ 18-9-1, 18-9B-6a, and 11-8-12a

2.4 Line Item Supplements and Transfer

Approved 10/21/03

The supplement or transfer of allocated funds from one line item to another in the current expense budget shall be made by the Board and signed by the superintendent. Legal Reference: School Laws of West Virginia: § 18-9B-10

3.0 Revenues

3.1 Local Taxes

Approved 10/21/03

Regular levy rates are set by the West Virginia Legislature. Excess levies are passed by a majority vote of the public. The Board may set the rate up to the maximum amount allowed by law.

Legal Reference: School Laws of West Virginia: §§ 11-8-5, 6, 6b, 6c, 6f, 7, 9, 10a, 12, 12a, 13, 16, 16a, 17, 20, 21, 22, 23, 24, 25, and 26a

3.2 State Aid

Approved 10/21/03

The Legislature of the State of West Virginia has the legal duty to support a thorough and efficient system of education.


3.3 Federal Aid

Approved 10/21/03

It is the objective of the Board to provide equal educational opportunities for all children within the county. The administrator in charge of federal funds has the direct responsibility for establishing communication with the appropriate federal program administrators to keep abreast of changes in federal statutes. The Board shall provide appropriate programs and guidelines to enhance the educational program in Jefferson County.

Those employees hired to staff approved federal programs shall be allowed to earn tenure in the same manner as equivalent Board employees paid from state and local revenues. If a reduction in force of employees is necessary, it shall be done on the basis of seniority irrespective of source of payroll dollars.

3.3.1 Comparability

Approved 10/21/03

Comparability will be maintained by the Jefferson County Board of Education with regard to pupil-teacher ratios as required by Title I guidelines and West Virginia Code § 18-5-18a.

Jefferson County shall allocate funds for equipment and instructional...
supplies on the per-pupil formula.

An annual update on comparability will be completed at the end of the second school month of each school term.

3.4 Miscellaneous

3.4.1 Tuition

Approved 10/21/03

All out-of-state students wishing to enroll in Jefferson County Schools shall make payment to the Jefferson County Board of Education. Tuition shall be payable in advance. The amount will be computed annually based on per-pupil expenditure for the current school term.

3.4.2 Gifts, Grants or Bequests

Approved 10/21/03

The Board according to law and the intent of the instrument conferring title shall receive, hold and dispose of any gift, grant or bequests. The Board shall approve trusts and foundation as needed to receive, hold and dispose of gifts and bequests.

Legal Reference: School Laws of West Virginia: § 18-5-5

3.4.3 Investment Earnings

Approved 10/21/03

The superintendent may from time to time request the treasurer of the school district to deposit funds allocated to the Board of Education of the County of Jefferson collected through local property tax time deposits in local banking institutions. Revenues from investments may be allocated where needed in the current operating budget.

3.4.4 School Accounts

Approval 5/04/04

Each school in Jefferson County is considered to be a separate and distinct financial accounting entity. As such, a complete set of accounting records must be maintained for each school in which is recorded all financial activities of the school.

Only financial activities of the school are to be recorded in the school's accounting records; personal transactions of the staff, such as coffee or flower fund collections, are not to be entered in the school's accounting records or mixed in with the revenues of the school.

A fund is a separate group of self-balancing accounts in which all cash, revenues, expenditures and residual balances are recorded and segregated for a specific purpose or objective. For an efficient system of operation, the only funds to be maintained in each school shall be General Fund and Faculty Senate Fund.

The different funds that may be maintained at a school are limited to the following:

General Fund - The fund used to account for the general operations of the
school and all other financial resources of the school except those accounted for in another fund. Every school is required to maintain a General Fund.

Faculty Senate Fund - A fund used to account for the revenues and expenditures of the school's faculty senate.

3.4.5 Athletic Funds

Approval 5/04/04

At any athletic event where an admission fee is charged or donation accepted for admittance, a change drawer is to be used with a starting cash of $50. The maximum amount that may be authorized is $500.

Pre-numbered tickets are to be used at any event where an admission fee is charged or a donation accepted for admittance. Whenever practical, separate individuals should be used to sell and collect the tickets. As tickets are collected from fans, they should be torn in half; one half should be returned to the individual as a receipt and the other half should be retained.

A ticket reconciliation report must be prepared for each event to reconcile tickets sold to cash collected. The report must show the following: beginning cash balance; first and last numbers of each type of ticket sold (student, adult, other); total number of tickets sold by type; price of each type of ticket; total sales; ending cash balance; total cash in cash box; and differences, if any. In addition, total sales from tickets sold prior to the event must be shown. The reconciliation report must also show the activity and date, and must be signed by the preparer and the principal.

3.4.6 Organization Funds

Approval 5/04/04, Revised 8/23/10

I. Fundraisers

A. A school fundraiser is an organized activity or gathering of money or gifts by a school or school organization or school support organization for the purpose of benefitting students and/or their school. School-wide fundraiser is defined as an organized activity in which all of the students in the school are involved in the fundraising effort for the primary purpose of raising funds for the school.

B. School organization or group is defined as a group whose finances are supervised by school administration.

C. School support organization is defined as an organized nonprofit group that can prove membership through charter, by-laws, list of officers and/or board of directors. A list of all school support organizations must be approved by the board.

D. The following represent activities that are not classified as school fundraisers. Money collected from such an activity must be handled according to the guidelines outlined in the
“Accounting Procedures Manual for the Public Schools in the State of West Virginia” (1-19).

1. Percent of receipts for school services (e.g. school pictures, yearbooks, school supply center, school spirit apparel/items, yards sales, and school vending machines in the staff workrooms)

2. Charitable—Selling of goods or services in which all proceeds are donated to a specific charity (e.g. – Daffodils, Jump Rope for Heart, Relay for Life, etc.)

3. Non-solicitous related activities (e.g. car wash, book fair, school dances, etc.)

4. Community business contribution involving no student sales (e.g. Spirit Night)

5. Voluntary charitable contributions from students (e.g. victims of local disasters, classmates with serious illnesses, March of Dimes, etc.).

E. “Door to Door” Solicitations/Sales

1. Elementary and middle school students are prohibited from participating in “door to door” solicitations unless accompanied by a parent or adult.

2. Students and parents need to be aware of and abide by the “No Solicitation Ordinances” in effect in various communities and business throughout the county.

3. Prior to the start of a fundraiser parents shall be notified in writing explaining the specifics and purpose of the fundraiser

4. School-wide fundraisers are limited to one per semester per school year per school.

No school group or school support group (booster group) shall have more than four (4) fundraisers during a fiscal school year

G. Fundraisers directly involving students selling directly to the community shall not last for more than two weeks.

H. All non-concession fundraisers involving food items restricted for consumption during the school day per State guidelines (Policy 4321.1) shall also offer a “nutritious” choice. Fundraiser food items shall not be consumed during the school day. School day is the time inclusive of homeroom, class changes, breaks/recess, lunch and other non-instructional activities from the first designated
assembly of the student body in groups (homeroom or first period) to the dismissal of the student body.

I. All fundraisers involving the sale of food items that are not pre-packaged must be prepared by and packaged by a licensed food handler.

J. No school group or school support group is allowed to participate in a “Road Toll” fundraiser.

K. Students are not permitted to participate in gambling activities such as raffles.

L. Group competition that puts pressure on individuals to participate is prohibited.

M. Telephone solicitation by students for fundraising activities is prohibited. This is not intended to prohibit students from contacting friends and relatives by telephone to ask for their participation in a fundraising activity.

N. Student grades, extra credit, or other academic indicators are prohibited from being linked to any fundraiser.

O. Prizes and rewards for students who participate in fundraising activities may be provided as long as they do not interfere with the instructional programs.

II. Procedures

A. Any school group or school support group wanting to participate in a fundraising activity must complete a Fundraising Application and submit it to the school principal or his/her designee for approval at least 10 days prior to the tentative beginning date of the fundraiser. The form must be approved and returned before the fundraiser can begin.

B. Fundraisers to pay for field trips and excursions cannot be submitted prior to board approval of the field trip or excursion. Fundraisers to pay for field trips or excursions must be approved by the Board of Education.

C. Events taking place during the school day should not be used as fundraisers. Consequently, students shall not be charged for events taking place during the school day.

D. All accounting procedures and policies (Accounting Procedures Manual for the Public Schools in the State of West Virginia (1224.1)) must be followed by both school groups and school support groups.

1. All receipts for school groups should be recorded on a “Cash Receipt Summary” form and turned into the financial secretary intact for deposit into a depository
account in a timely manner. The total amount of money collected should be reconciled to the detailed records that support the collections. To decrease the risk of theft, each check received by the organization should be stamped or marked on the back with a restrictive endorsement stating “for deposit only” at the time of receipt.

2. Before goods or services are ordered, an approved purchase order must be in place. If merchandise is purchased for resale, the check must be issued to the vendor. The purchase invoices are to be retained as supporting documentation for the disbursements.

3. Every account in which the organization funds are deposited should be insured or the bank should be required to provide adequate bond to cover the maximum amount that may be deposited at any one time.

4. The account should contain the name of the organization and the organization’s Federal Employer Identification Number (FEIN).

5. The bank signature cards must be maintained current at all times. Two signatures must be required on every check issued by the organization. One of the signatures should be that of the organization’s president.

6. All checks should have pre-printed on them the name of the organization, the name of the school, the organization’s address, the check number, and two blank spaces for signatures. Current stocks of checks, however, could be used until exhausted.

7. At the conclusion of the fundraiser a “Profit/Loss Statement” showing gross proceeds, cost of goods sold, and net proceeds must be completed and submitted to the building principal. The building principal in turn shall forward a copy of the “Profit/Loss Statement” to the Assistant Superintendent of Curriculum and Instruction within two weeks of the fundraiser’s conclusion. Significant discrepancies between profit/loss estimates and actual profit/loss statements will be reviewed at the county level by the Chief School Business Official.

3.4.7 Disposal of Surplus or Obsolete Property
The Purchasing Agent in cooperation with the Treasurer/Chief Financial Official shall determine whether school system property, other than real property, is obsolete, surplus, and/or if it is of no further use to the school system. The re-use or redeployment of equipment and materials within the school system shall be encouraged whenever practical. The Purchasing Department, along with the Treasurer/Chief Financial Official will dispose or redeploy the property in the most economical method for the school system.

The Purchasing Agent will approve of disposal for items with a current value of $1,000 or less; the Director of Operations will determine disposal for items with a current value of $1,000 and not over $3,750. The superintendent will approve of disposal for items over $3,750.

The disposal of surplus, obsolete, or salvageable equipment and property shall be by one of the following:

- Sold by written bid or at public auction, whichever is more economical
- Traded in as part of a similar equipment purchase
- Donated to a charitable or non-profit organization
- Discarded or junked by appropriate legal means

The selling of surplus and obsolete equipment and materials will be conducted by the Purchasing Department, with public notification. Any proceeds from the sale of surplus equipment or materials will be maintained on a bid summary that will be kept in the Purchasing Department. A bid summary for each sale event will be forwarded to the Superintendent and the Board of Education.

3.4.7.1 Modular Classroom Disposal Policy

Approved 7/23/12

After a certain period of time, modular classrooms become obsolete and a liability to Jefferson County Schools (JCS). When a modular classroom outlives its usefulness in JCS, the following procedures govern its removal from school property.

1. Administration will determine which facilities need to be eliminated by considering factors such as cost and maintenance repair to the modular classroom, safety factors, instructional value.

2. Modulares designated obsolete shall be made available to other organizations or individuals in the following order: government agencies, non-profit organizations, individuals and for profit entities through the bid process.

3. The Jefferson County Board of Education (JCBOE) authorizes a bid notice that modular classrooms are designated for disposal. The following procedures govern their disposal:
a. A notice for the intent to dispose of a modular classroom shall be placed in local newspapers.

b. Interested parties should survey the modular unit and make bids for acquiring the modular classroom. The following conditions must be met for a successful bid:

1. The highest bid shall be considered.
2. The bid winner must remove the modular classroom from school property within a reasonable amount of time, preferably within fifteen days.
3. The requesting organization/individual shall pay all expenses for removal of the modular unit.
4. Any damages associated with moving the modular classroom become the sole responsibility of the modular’s new owner.
5. The requesting organization assumes full responsibility for future legal actions associated with the modular classroom.

3.4.8 Safety Policy

Approved 8/25/05

Maintaining a safe facility, conducting work in a safe manner, and protecting the safety of employees and the general public are extremely important to the Jefferson County Board of Education. It is the policy of the Jefferson County Board of Education to establish and adhere to the safety procedures that will protect the assets, the safety of employees, and members of the general public.

All Jefferson County School Board employees and officials have certain responsibilities in the safety, risk management and loss control process that must be carried out in order to have a successful program. These responsibilities include activities such as establishing safe work places, following safe practices, limiting exposure to potential liability and loss, and carrying out the steps necessary to maintain an effective and efficient safety, risk management and loss control program.
APPENDIX 1 – TO CHAPTER 3

PURCHASING POLICIES
AND PROCEDURES MANUAL

Go to JCS website – Departments and Services – Finance

Office of Finance
Amended by Jefferson County Board of Education
Chapter 4 – Business Management

1.0 Real Property

1.1 Controls and Management

The Board shall control and manage all of the schools and school property, whether owned or leased by the district. It is the superintendent's responsibility to establish adequate rules and operating procedures to extend the useful life of buildings and capital equipment that are provided.

1.1.1 Naming Buildings or Portions of Buildings

Real property is owned solely by the Board of Education on behalf of Jefferson County. No entity other than this board is eligible to name buildings or portions of buildings owned by the board of education.

All requests for the naming of a building or portions of a building must be submitted to the superintendent in writing. Requests to name an existing school building or an existing portion of a school building must have the approval of the Faculty Senate and School Improvement Council before submission to the superintendent for approval by the Board of Education.

1.2 Loitering

No person, not a student in regular attendance, shall loiter in or about any school, school building, or school grounds in Jefferson County, West Virginia, without having first obtained written permission from the principal or designee of such school. Any person who shall violate this rule shall be punished in the manner prescribed in West Virginia Code § 61-6-14a.

1.3 Use of Buildings and Grounds Management

1.3.1 Use of Buildings and School Grounds

The Board recognizes the capital investment the community has in the school facilities and grounds and supports the use of the facilities and grounds by the community for educational, recreational, civic, and cultural activities to the extent possible under the law.

I. Application for Facilities Use (SOP 5.1)

   A. All outside agencies renting, leasing, or using the school buildings or portions thereof, if such activities are proprietary and not governmental, shall file with county superintendent a liability insurance policy issued to the Jefferson County Board of Education with a liability limit to be set by the superintendent to reflect the amount of liability insurance deemed adequate by the Board of Risk and Insurance Management (BRIM) before use of the
school facilities may be granted. School facilities will be open only to those persons or groups who can insure the Jefferson County Schools (JCS) administration that trustworthy individuals will take complete responsibility for the group’s action.

B. Any group or individual wanting to use school facilities must complete an application and submit it to the principal a minimum of 10 working days prior to the proposed event. A facilities use application form (SOP 5.1) is available in the main office of each school, at the board of education office, and online. Any group or individual wanting to use school facilities must complete a facilities use application form (SOP 5.1) annually.

C. Upon approval of the use of the facilities, the building principal will provide everyone (teachers, custodial staff, and cafeteria staff) in the building who is impacted with a copy of the building use form.

D. Priority for the use of the facilities will be given based upon the following:

1. School functions/school related groups (defined as a group whose finances are supervised by school administration)

2. Adult and Community Education Program

3.* Community/civic groups in a school’s attendance area

4.* Community/civic groups outside a school’s attendance area (*Community/civic group is defined as an organized nonprofit group that can prove membership through charter, by-laws, a list of officers and/or board of directors. Organizations must have 501(c) (3) status for nonprofit status.)

E. Continued use of a facility by a non-student oriented group or a non-education related group in lieu of a group providing its own facilities will not be permitted. After the first year that such a group uses JCS facilities, it shall be required to complete a written application to apply for a second year of facility use. The group will be required to submit the application to the Board for its consideration. In completing the application, the group should explain any extraordinary circumstances that may have prohibited it from obtaining its own facilities. Further, the group will be required to identify efforts to obtain its own facilities. The Coordinator of Adult Education will solicit input from
the administrator of the building regarding the group’s facility use in the prior year. When the application is completed, it will be submitted to the Board in writing for review. After the Board reviews the application, a decision shall be issued in writing to the group either granting or denying an additional year of facilities use. If additional years of facilities use are granted, the group shall be charged rental fees from the first day of use in the second year. The group will not be permitted 15 days of use without charge in the second year.

F. The use of the school building and/or grounds cannot:

1. Interfere with the primary use of the school building and/or grounds or its educational mission.
2. Interfere with any school curricular, co-curricular, or extra-curricular activity.
3. Subject the school board to risk of liability.
4. Subject the school system’s property to risk of loss by damage or theft. If risk of loss by damage or theft occurs, the agency using the facility shall be responsible for repair/replacement of loss, shall have all usage of the facility suspended immediately, and may be denied future usage of JCS facilities.

G. School equipment, such as, athletic equipment, audiovisual equipment, etc., is not available for use during approved activities. No school telephone is available for use on-site. No storage is available for use on-site.

H. All scheduled activities are cancelled when schools are closed for inclement weather or for a school holiday.

I. State law prohibits the utilization of school facilities for commercial or private use.

J. School facilities may not be used before 2:00 p.m. on Sundays.

II. Fees for Facilities Use

A. JCS school related groups (e.g., PTO’s and boosters), Jefferson County Parks and Recreation, governmental agencies/federally chartered youth organizations, and exempted organizations will not be required to pay rental fees. Other fees may be imposed in accordance with the “Payment Chart for Personnel Services” on page 5.
B. All other community/civic groups that use the facilities more than 15 times shall pay rental fees based upon the “Required Facility Usage Fee Per Area Used” schedule on page 6. Other fees may be imposed in accordance with the “Payment Chart for Personnel Services” on page five.

C. The Board in its sole discretion has the ability to exempt organizations and groups from fees associated with facilities use including rental fees and other fees imposed for personnel services. Organizations/groups interested in applying for an exemption to fees for facilities use should contact the Coordinator of Career, Technical, and Adult Education at the Central Office. Organizations/groups will be required to submit in writing an exemption packet to the Board for its consideration. When the packet is completed, it will be submitted to the Board in writing for review.

Exemption criteria to be considered by the Board include but are not limited to the following:

- Organization’s educational, civic, or charitable purpose
- Organization’s nonprofit status
- Organization benefits/supports youth with its programs
- Organization benefits/supports community members with its programs
- Organization’s prior relationship with Jefferson County Schools including length of relationship
- Organization’s agreement to all JCS policies for facilities use
- Organization’s fee structure for participation by its members
- Organization’s stewardship of JCS facilities as demonstrated by past use

After the Board reviews the exemption packet, a decision shall be issued in writing to the organization/group either granting or denying an exemption for facilities use fees. If an organization/group was granted an exemption in a prior year, it shall be the responsibility of that organization/group to request an exemption every year thereafter. Exemptions will only be valid from the time they are granted until the beginning of the next fiscal year.

D. Use of the facilities during non-custodial hours will require a fee for opening and closing the facility by a JCS employee. Only such minimal support services as unlocking doors and turning on lights are included in
personnel fees. An additional mandatory custodial fee shall be required anytime that the facility is used beyond the contracted work hours of school personnel. See the “Payment Chart for Personnel Services” on page 5.

E. The school principal or their designee will decide when other additional personnel are needed to support a specific event. Users will pay for personnel services required to:

1. Monitor the building during hours when the building is not in normal use (overtime).

2. Set up an area to use and clean an area after use. The principal may approve a user’s request to provide its own setup and cleanup.

3. Help in school kitchen. Paid cafeteria staff must be present if kitchen facilities are used.

4. Help with lighting and audio equipment.

5. Supervise large groups. A staff supervisor may be assigned at the discretion of the principal.

6. Provide other appropriate services.

| PAYMENT CHART FOR PERSONNEL SERVICES DURING FACILITIES USE OUTSIDE THE SCHOOL DAY |
|---------------------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| **PAYMENT CHART FOR PERSONNEL SERVICES DURING FACILITIES USE OUTSIDE THE SCHOOL DAY** |
| *OPEN  | *CLOSE | CLEANUP | *ACTIVITY | TOTAL | *RATE | PAYMENT |
| BUILDING (1 HR.) | BUILDING (1 HR.) | (# HRS.) | SUPERVISION (# HRS.) | (# HRS.) | PER HOUR | (TOT. HRS. X RATE /HR.) |
| CAFETERIA STAFF | | | | | | |
| CUSTODIANS | | | | | | |
| SUPERVISOR | | | | | | |
| TECHNICAL SUPPORT | | | | | | |

*Any Community/ Civic Group using the facility during non-custodial times shall pay an “opening” and “closing” building fee. See SOP 5.1 for current hourly rates.

Any Community/Civic group using the facility during the non-contracted work day of school personnel shall pay a mandatory custodial fee.

F Payment Procedures

1. Once the school personnel completes and submits the supplemental pay form to the school principal for approval, it is signed and forwarded to the Coordinator of Career, Technical & Adult Education.

2. A bill is sent to the party using the JCS facility. Checks for facility use are made out to Jefferson County Schools.
3. JCS finance department will pay the staff member for his/her services. No money is paid at the activity.

4. Organizations delinquent in paying building use fees will be prohibited from using facilities until all fees are collected.

The superintendent (or his/her designee) is authorized to establish administrative regulations governing use of school facilities as necessary to accomplish the intent of this policy. These regulations in no way shall discriminate against any group or persons in a manner prohibited by law. Any person who wishes to appeal an administrative decision concerning facility use has the right to file a grievance using this Board’s established citizen’s grievance process.

<table>
<thead>
<tr>
<th># DAYS USED PER YEAR</th>
<th>SCHOOL RELATED GROUP, PARKS &amp; RECREATION, OR GOVERNMENTAL AGENCY/FEDERALLY CHARTERED YOUTH ORGANIZATION/EXEMPTED ORGANIZATIONS</th>
<th>COMMUNITY/CIVIC GROUP (Fees are based upon 3 hrs. of usage.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 15</td>
<td>NO CHARGE</td>
<td>NO CHARGE</td>
</tr>
<tr>
<td>16 TO 52</td>
<td>NO CHARGE</td>
<td>FACILITY USAGE CHARGE (PER EACH USE)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FIELD LIGHTING</th>
<th>$12 X EACH HR. USAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLASSROOMS</td>
<td>$15 X # ROOMS USED</td>
</tr>
<tr>
<td>KITCHEN</td>
<td>$100</td>
</tr>
<tr>
<td>CAFETERIA</td>
<td>$50</td>
</tr>
<tr>
<td>GYM</td>
<td>$100</td>
</tr>
<tr>
<td>AUDITORIUM</td>
<td>$50</td>
</tr>
<tr>
<td>OUTDOOR TEAM SPACE</td>
<td>$25 per team space</td>
</tr>
</tbody>
</table>

*Additional fees may apply if custodial or other staff is required above the required minimum fee for opening and closing. Community/Civic groups are not charged facility use fees for 15 or fewer uses of the facility.*
1.4 Energy Conservation

The Board acknowledges the need to conserve existing energy sources and feels a responsibility to develop an awareness of energy consumption and conservation in its students. To attain this goal, the superintendent shall implement plans to conserve energy through administrative practices and Board approved energy management program(s).

1.5 Pest Management

The Jefferson County Board of Education finds that structural and landscape pests can pose significant problems to people, property, and the environment. Pesticides can also pose risks to people, property, and the environment. Therefore, this Board shall incorporate Integrated Pest Management (IPM) procedures for control of structural and landscape pests as defined by the West Virginia Department of Agriculture.

PESTS - Pests are populations of living organisms (animals, plants, or microorganisms) that interfere with the human purposes for an area. Strategies for managing pest populations will be influenced by the pest species and any threat they pose to people, property, or the environment.

PEST MANAGEMENT - Pests will be managed to:

1. Reduce any potential human health hazard or to protect against a significant threat to public safety.
2. Prevent loss of or damage to structures or property.
3. Prevent pests from spreading in the community or to plant and animal populations beyond the site.
4. Enhance the quality of life for building occupants.

INTEGRATED PEST MANAGEMENT PROCEDURES - IPM procedures will determine when to control pests and whether to use mechanical, physical, chemical, cultural, or biological means. IPM practitioners depend on current, comprehensive information on the pest and its environment and the best available pest control methods. Applying IPM principles prevent unacceptable levels of pest activity and damage by the most economical means and with the least possible hazard to people, property, and the environment.

The choice of using a pesticide will be based on a review of all other available options and a determination that these options are not acceptable or are not feasible. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents, and selected non-chemical pest management methods will be implemented whenever possible to provide the desired control. The Board will utilize IPM principles to manage pest populations adequately. The full range of alternatives, including no action, will be considered.

When it is determined that a pesticide must be used in order to meet important management goals, the least hazardous material will be chosen. The application of pesticides is subject to the Federal Insecticide, Fungicide, and Rodenticide
Act; School Board policies and procedures; EPA regulations; Occupational Safety and Health Administration regulations; and state and local regulations.

**EDUCATION** - Building occupants, the pest manager, and the public will be educated about potential pest problems and the IPM policies and procedures to be used to achieve the desired pest management objectives.

**RECORD KEEPING** - Records of the pesticide used shall be maintained on site to meet the requirements of the West Virginia Pesticide Control Act of 1990 as administered by the West Virginia Department of Agriculture. Records must be current and accurate if IPM is to work. Additionally, Pest Surveillance Data Sheets, which record the number of pest or other indicators of pest populations, are to be maintained to verify the need for treatments. Records will also be maintained by the pesticide applicator.

**NOTIFICATION** - The Board takes the responsibility to notify building occupants of upcoming pesticide treatments. Notices will be posted in conspicuous areas in the facility and sent home to parents/guardians at least twenty-four hours in advance of pesticide applications.

**PESTICIDE STORAGE AND PURCHASE** - Pesticide purchases will be limited to the amount authorized for available use during the year. Pesticides will be stored and disposed of in accordance with the EPA registered label directions and state regulations. Pesticides must be stored in an appropriate, secure site not accessible to students or unauthorized personnel.

**PESTICIDE APPLICATORS** - Pesticide applicators must be certified by the West Virginia Department of Agriculture in the principles and practices of IPM and the use of pesticides approved by this school district, and they must follow regulations and label precautions. Any individual who performs work under this policy must be West Virginia certified or work under the direct supervision of a certified applicator and comply with the Board’s IPM policy and Pest Management Plan.

**2.0 Insurance**

**2.1 Bids**

The Board shall solicit bids for providing casualty insurance coverage on the buildings and contents owned by the Jefferson County School System. The bids solicited shall be for a specified period and shall be based upon the replacement cost of the facilities and contents so insured.

**2.2 Liability Coverage**

The Board of Education carries liability insurance coverage for all Board employees and members of the Board of Education with the State Board of Risk and Insurance Management including liability insurance on School Board members and all employees for wrongful acts, errors and omissions.

**3.0 Student Transportation**
3.1 Authority and Purpose

The transportation system of Jefferson County provides transportation for students and participants in curricular and extracurricular activities. Trips to locations in Jefferson County and counties adjacent to Jefferson County (Berkeley County, WV; Fredrick County, MD; Washington County, MD; Frederick County, VA; Clarke County, VA; and Loudoun County, VA) may be approved by the superintendent. All other trips require the approval of the superintendent and the Board of Education.

3.2 Posting Notice of Use

All buses shall have posted in the right front side window adjacent to the entrance door, where it is visible to all persons approaching the bus, the following notice:

NOTICE

ALL PERSONS, EXCEPT DESIGNATED ENROLLED PUPIL PASSENGERS, EMPLOYEES OF THE JEFFERSON COUNTY BOARD OF EDUCATION AND OTHER PERSONS DESIGNATED BY THE BOARD OF EDUCATION, ARE PROHIBITED FROM BOARDING OR ENTERING THIS SCHOOL BUS.

3.3 Transportation Insurance Program

The Board shall purchase annual liability, physical and property damage insurance for the vehicles owned and operated by the District. The West Virginia State Board of Risk and Insurance Management provide this insurance.

3.4 Bus Scheduling

3.4.1 Subdivision Services

School bus transportation services on roadways not owned or maintained by the West Virginia Department of Highways shall be equal to the highest specifications of the West Virginia Department of Highways.

3.4.2 Special Use

Curricular and extra-curricular trips will be arranged through the Office of the Superintendent or his designee.

3.4.3 Drivers

All school buses must be driven by board approved drivers.

3.4.4 Redistricting Guidelines

The school district guidelines are to be used when Jefferson County has to redistrict areas of school populations.

- School building capacity – must be balanced.
• To the extent possible, place students in the school closest to them establishing and maintaining community schools.
• Consistent feeder schools
• Minimize transportation travel times
• Logical rules of dividing lines: distance, subdivisions, and roads
• Consider future growth projections in planning

4.0 School Lunch Services

4.1 Statement of Participation (Free Lunch Policy)  
Approved 10/21/03

The Board hereby assures the West Virginia Department of Education that it accepts responsibility for and will implement uniformly the National School Lunch and Breakfast Programs, the Child and Adult Care Food Program and the Special Milk Only Program in the appropriate schools under its jurisdiction.

4.2 Program Operation  
Approved 10/21/03, Revised 8/24/06

The school cafeteria is maintained as a vital part of the school. It has been proven that a hungry child does not perform well in school. To encourage good nutrition, a well balanced breakfast and lunch is offered at a reasonable price. The Jefferson County Schools Child Nutrition Office operates a centralized accounting system. Students may pay for their meals in advance, at the time the meal is served (Point of Service [POS]), or will be billed on a monthly basis.

4.3 Offer Versus Serve Policy  
Approved 10/21/03

Offer versus serve will be implemented in grades four through twelve. This policy requires all schools serving grades four through twelve to offer all five of the USDA required meal components. Students in grades four through twelve may decline one or two of these items. Students must choose at least three full portions of the five required components.

Declining one or two of the food items does not relieve non-needy students from paying the full price of the school lunch or further reduce the charge paid by students determined eligible for reduced-price lunches.

This policy applies to school lunches only and in no way affects the requirement for students to accept all required breakfast components.

4.4 Sale of Healthy Beverages, Soft Drinks, and Food Items in Schools  
Approved 3/23/06

A. Definitions

For the purposes of this section:

1. “School day” means the period of time between the arrival of the first student at the school building and the end of the last instructional period; and
2. “Healthy beverage” means water, one hundred percent fruit and vegetable juice, and low-fat milk.

B. Description

1. In order to generate funding for necessary programs and supplies, Jefferson County Board of Education will permit the sale of healthy beverages and soft drinks in county schools, except during breakfast and lunch periods as follows:

   a. During a school day, soft drinks may not be sold in areas accessible to students in an elementary or middle school through vending machines on the premises, in school stores or in school canteens, or through fundraisers by students, teachers, groups or by any other means. In elementary and middle schools, only healthy beverages may be sold in vending machines on the premises, in school canteens or through fundraisers by students, teachers, groups or by any other means. Nothing in this section shall be construed to prohibit or limit sale of distribution of any food or beverage item through fundraising activities of students, teachers or educational groups when the items are intended for sale off the school grounds.

   b. After the school day is complete, high schools that permit the sale of soft drinks through vending machines also shall offer for sale healthy beverages. Of the total beverages offered for sale, at least fifty percent shall be healthy beverages. Vending machines containing healthy beverages shall be in the same location or substantially similar location as vending machines containing soft drinks.

   c. The sale of healthy beverages and soft drinks shall be in compliance with the rules of the National School Lunch Program and the School Breakfast Program of the State Board and the Nutrition Service of the United States Department of Agriculture, which became effective on the seventeenth day of June, one thousand nine hundred eighty-five. Seventy-five percent of the profits from the sale of healthy beverages and soft drinks shall be allocated by a majority vote of the faculty senate of each school and twenty-five percent of the profits from the sale of healthy beverages and soft drinks shall be allocated to the purchase of necessary supplies by the principal of the school.

2. Except for foods served in the school nutrition programs, no food shall be sold in elementary schools and middle schools from the time the first child arrived until twenty minutes after all students are served lunch.

3. No candy, chewing gum, or flavored ice bars will be sold or served during the school day. No foods containing forty percent or more sugar by weight will be sold or served.

Reference: West Virginia State Code §18-2-6a, West Virginia Board of Education Policy 4321.1, Standards for School Nutrition,
4.5 Local Wellness Policy

Children need access to healthful foods and opportunities to be physically active in order to grow, learn and thrive. Schools can foster an environment that is health promoting and provides students with the knowledge and skills to create lifelong healthy habits. Children who eat well and are physically active are more likely to learn and become healthy, successful adults who contribute to our community. By promoting healthy lifestyle choices, educators can be a daily role model for healthy behaviors.

GOALS

It is the policy of Jefferson County Board of Education to:

- Establish a Jefferson County Wellness Committee, which may include – Coordinator of Child Nutrition, County Level Administrators, School Board Members, School Level Administrators, Health Service/School Nurses, Parent/Family/Guardian representatives, Students, and Community Members.
- Establish a Wellness Committee at each school site with operational responsibility for ensuring that each school fulfills the district’s local wellness policy.
- Create a health-promoting environment in our schools by:
  - Provide students access to nutritious foods, following the West Virginia Department of Education – Policy 4320 and Policy 4321.1 and the United States – Healthy, Hunger-Free Kids Act of 2010, while maintaining a clean and pleasant cafeteria setting;
  - All schools will follow the Jefferson County Board of Education policy, Chapter 4, Section 4.4, Sale of Healthy Beverages, Soft Drinks and Food Items in School - objective of promoting student health and reducing childhood obesity;
  - Provide opportunities for physical activity and developmentally appropriate physical education as set forth by the West Virginia Department of Education;
  - Provide accurate information related to nutritional education through the health education program as set forth by the West Virginia Department of Education;
  - Provide other school-based activities designed to promote wellness.

I. School Wellness Committees

Individual schools within Jefferson County Schools will convene committees to ensure the implementation of the wellness policy and related activities. The committee also will serve as resources to school sites for implementing those policies/procedures. A school wellness committee consists of a group of individuals representing the school and community and should include parents, students, food service personnel, school...
administrators, teachers, health professionals, and members of the public. This committee will meet a minimum of twice during the school year.

II. Family and Community Involvement

County Wellness Committee meetings will be scheduled to make it possible for a parent and student to attend regularly. A County Wellness website page will be established where the minutes from the school wellness committees and the county wellness committee meetings will be available. The County Wellness Committee will develop and implement a process to solicit parent and community members input on recommendations to the county committee on student health/wellness activities and programs.

In order to promote family and community involvement the county and/or schools will:

- Publish county meal menus;
- Invite families to attend and participate in health fairs and parent involvement evenings;
- Post informational newsletters on physical activity and healthy nutrition in languages accessible to the family population;
- School employees are encouraged to cooperate with other agencies and community groups to provide opportunities for students to participate in physical activity programs.

III. Nutrition

Only food or beverages that meet the nutritional values, as defined in the WVDE Policy 4320 and 4321.1; United States – Healthy, Hunger-Free Kids Act of 2010 may be sold or served in Jefferson County Schools. All guidelines will be followed as established in the above policies. Reimbursable meals will be maintained by following the above mentioned policies and Jefferson County Board of Education Policy 4.3 Offer vs. Serve.

IV. Special Dietary Needs

The Jefferson County Schools wellness policy requires that parents or guardians of students with special dietary needs have a physician fill out the Special Dietary Needs form, available on the county website and at the school, annually, and submit to each child’s school.

V. Fundraising Activities

To support children’s health and school nutrition-education efforts, schools are encouraged to use non-food fundraising activities. If foods are used, schools are encouraged to meet the nutrition standards set forth in WVDE Policy 4321.1 for foods and beverages sold individually. Documentation of product analyses/labels, should be available for review.

Schools are encouraged to use fundraising activities that promote physical activity.
VI. Rewards

Schools will not use foods or beverages as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as punishment. Schools are encouraged to use activity-based rewards.

VII. Classroom Celebrations

Classroom celebrations should be limited to three times per year. Celebrations should be activity and/or movement based (i.e. parades, games, small group crafts, sock hops/dance parties, etc…), as opposed to food based celebrations. If food is served, healthy snacks such as fruits, vegetables, and other non-processed whole foods are recommended, as opposed to sweets and baked goods. Water is the recommended drink, rather than sodas, juices, or other sweetened beverages.

VIII. School-sponsored Events

Schools should strive to offer foods and beverages at school-sponsored events outside the school day that meet the nutrition standards for meals or for foods and beverages sold individually.

XI. Nutrition Education

Jefferson County Schools aims to teach, encourage, and support healthy eating by students. Schools should provide knowledge and skills necessary to promote and protect student health, not only through health education classes, but also be integrated information into classroom instruction such as math, science, language arts, social sciences, elective subjects, and in the school cafeteria.

X. Physical Activity

For students to receive the nationally-recommended amount of daily activity (i.e., at least 60 minutes per day) and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class. Schools shall prohibit the use of physical activity and withholding of physical education class and other forms of physical activity as punishment.

XI. Staff Wellness

Jefferson County Schools highly values the health and well-being of every staff member. Schools plan and implement activities that support personal efforts by staff to maintain a healthy lifestyle. Each school will establish and maintain a wellness committee. The committee should develop programs and promote staff health and wellness. The plan should be based on input solicited from school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. This plan should be updated yearly.

“Excellence in Teaching and Learning”
All Jefferson County Schools’ employees are encouraged to be involved in the PEIA (Public Employees Insurance Agency) Pathways to Wellness Initiative available through the state of West Virginia.

XII. Monitoring and Policy Review

The superintendent and his/her designee will ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the principal will ensure compliance with those policies in his/her school and will report on the school’s compliance to the superintendent or his/her designee.

Jefferson County Child Nutrition Coordinator will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent. In addition, the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes.

Formal assessments using the Center for Disease Control School Health Index assessment instrument will be completed by April 1st of even years (i.e., 2008, 2010, 2012, etc.)

As part of that review, the Jefferson County Wellness Committee will annually review the Jefferson County Wellness Policy 4.5 to maintain current state and federal regulations.
Chapter 5 – Facility Expansion Program

Approved 10/21/03

1.0 Development of Program

1.1 Goals and Objectives

Approved 10/21/03

A quality educational program is influenced to a great extent by the facility within which it is housed. Individual projects shall be constructed in the county only after study has indicated its place in the long-range building program and sufficient inputs have been received from administrators, staff members, students, and members of the public to assure the Board that the proposed facility will, as nearly as possible, meet the immediate and future needs of the projected enrollment.

1.2 Building Committees

Approved 10/21/03

1.2.1 Citizen Advisory Committees

The Board believes in the utilization of citizen advisory committees in the development of long-range building programs. The people who are selected to participate on the committee shall be approved by the Board.

1.3 Public Information Programs

Approved 10/21/03

Every attempt shall be made by the Board to represent the people according to the best interests of their children. To this end, the Board shall attempt to:

1. Keep the citizens continually informed about their schools, school board policy, future plans, plant features, and educational methods.

2. Provide the public with full and accurate information together with interpretation and explanation of the school district’s plans and programs.

1.4 Long Range Planning

Approved 10/21/03

The Board in cooperation with the administration, staff and community shall determine the long-range needs of the school system.

2.0 Project Planning

2.1 Equal Educational Opportunity

Approved 10/21/03

It is the desire of the Board to provide equal educational opportunities to all students within the district. Thus, the needs of all age groups and all areas of the county will be taken into consideration as individual projects are planned.

3.0 Architectural Planning

Approved 10/21/03

An architect shall be employed when a decision has been reached to proceed on a specific project within the long-range building program or if the Board believes the technical expertise of an architect is necessary.
In addition, the Board expects the following services from any architect whom it employs:

1. Translate the educational specifications for which the facilities are needed into building design and technical specifications;
2. Supervise or direct the construction; and
3. Supplement the services, when necessary and with the consent of the Board, by consulting specialists such as landscape architects, heating, ventilating, electrical, structural and acoustical engineers.

4.0 Site Acquisition Procedures

Approved 10/21/03

It shall be the practice of the Board to attempt to select school-building sites that are available at a reasonable cost. However, pursuant to the provisions of the laws of West Virginia, if necessary, the Board may petition the circuit court to condemn such lands, or easement in such lands, necessary or convenient for educational purposes for school buildings, playgrounds, athletic fields, experiments in agriculture, warehouses, bus garages, or extensions, improvements, or additions thereto. The rights, powers and privileges of eminent domain of the board shall be coextensive with the rights, powers and privileges of the State.

Condemnation proceedings shall be in the name of the board and according to the provisions of § 54-1-1 of the State Code. Reference: §§ 18-5-8, 18-5-9, 18-5-10, 18-5-11

5.0 Procurement of Services

5.1 Bids and Quotations

Approved 10/21/03

Upon the approval of working drawings and specifications by the Board and State agencies, the Board shall solicit bids to be submitted on or before a specified time and at the Office of the Board of Education. Each bid shall be accompanied by a certified check or a bank draft in the amount of five percent of the bid or a bidder's security bond in the amount of ten percent of the total bid. The advertisement shall state that the Board reserves the right to reject any or all bids and re-advertise the project if necessary.

5.2 Architect's Responsibility

Approved 10/21/03

It is expected that the architect shall take the responsibility for preparing the advertisements, bid forms, bid bond forms performance and payment bonds, and forms of agreement between the Board and the successful bidder(s). Upon receipt of bids, they will be opened publicly and entered into the minutes of the Board of Education. The architect and bond attorney shall assist the Board and school personnel in analyzing the bids.
5.3 Change Orders

The responsibility for the preparation of change orders shall rest with the executive architect. Where deviations from the approved drawings and specifications must be made, the architect shall draft the change orders for approval by the Board and other agencies when required.

5.4 Awarding of Bids

The Board shall be responsible for the letting of contracts, awarding of bids, the overseeing of accounts, the issuing of change orders and certificates for payments to contractors, project acceptance report on final inspection and any other business management or control problem related to the building project which comes within the architect's area of expertise.

5.5 Payment of Contractors

The Board shall advance no monies or payments to contractors or subcontractors unless authorized by the project architect. All payments to contractors for work completed shall be made after receipt of certificates for payments to contractors from the project architect have been approved by the superintendent or his/her designee.

5.6 Completed Project

Upon completion of the construction, the county superintendent or his/her designee and the architect shall make an inspection of the project before the Board shall accept the finished product. Certificate of payment for all taxes due shall be on file from the State Tax Commissioner before final payment is made to vendors, contractors, or subcontractors. One final inspection shall be made by the same parties before the termination of the performance bond.
Chapter 6– Personnel

1.0 General Practices/Philosophy

1.1 Goals and Objectives

The quality of the educational program available to the students enrolled in the Jefferson County Schools is more closely related to the excellence of the personnel employed in the school district than any other single factor. Therefore, personnel regulations and procedures shall be implemented in such a manner that creative, properly qualified, empathetic staff are recruited, selected and retained within the County. The responsibility for implementation of Board policies and providing the dynamic leadership necessary for Jefferson County to maintain a position of educational excellence is delegated to all staff including central office staff and building principals. Service personnel dedicated to enhancing the teaching-learning environment shall be selected on the basis of qualifications and competence to augment the professional education staff. Reference state codes concerning personnel: §§ 18A-4-7a, 18A-2-5 and 18A-4-8.

1.1.1 Identification Badges

In an on-going effort to maintain a safe environment in school facilities, the Jefferson County Board of Education requires all visitors and staff to wear identification badges during the normal school day. All employees shall wear identification badges bearing his/her name and photograph. Visitors and volunteers will be issued numbered identification badges. Any person refusing to wear an identification badge will be denied access to Jefferson County Board of Education property. All badges remain the property of the Jefferson County Board of Education and will be surrendered in accordance with a procedure established by the superintendent. Damaged or lost badges must be replaced immediately at the expense of the employee.

1.2 Personnel Records

1.2.1 Access

Employees may have access to their individual files through the Department of Human Resources.

1.2.2 Contents

Personnel records may contain the following, but are not limited to, employee’s applications, references, evaluations, written communications regarding employee performance, and written communications regarding an employee’s physical/mental status.

1.2.3 Removal of Contents

Any employee who wishes to have written material (excluding evaluations) removed from their personnel file may petition the superintendent in...
writing. The petition must contain a description of the material and the specific reasons it is inappropriate for the material to remain in the personnel file. The superintendent shall within ten days determine whether the petition is a valid request and inform the petitioner in writing of his/her decision.

1.3 Equal Opportunity Employment

The Board shall employ the best candidate for all openings that may occur in the Jefferson County Public School System. There shall be no discrimination on the basis of race, sex, color, religion, handicapping condition, marital status, or national origin in employment or in its educational programs and activities. Inquiries may be referred to the Title IX Coordinator, Jefferson County Board of Education, 110 Mordington Avenue, Charles Town, WV 25414, (304) 725-9741; or to the Department of Education’s Director of the Office of Civil Rights.

1.4 Drug-Free Workplace Policy

Section 1 General

1.1. This policy applies to all employees of the Jefferson County Board of Education.

1.2 Authority - Drug-Free Workplace Act 1988 (PL 100-690) West Virginia Constitution Article XII, 2, and West Virginia Code §18-2-5 and Section 5145 of the Drug-Free Schools and Communities Act (PL 101-226)

Section 2 Purpose

2.1 To provide for a Drug-Free Workplace for all persons in the public schools of Jefferson County

Section 3 Definition

3.1 Drug-Free Workplace: A work-site where work is performed in connection with the employee's contract with the Jefferson County Board of Education. The workplace shall include facilities, property, buildings, offices, structures, automobiles, trucks, trailers, other vehicles, and parking areas, whether owned or leased by the Jefferson County Board of Education.

3.2 Employee: Any person who works full-time, part-time, or under contract, including management of temporary staff who are directly engaged in the performance of work pursuant to the mission of the Jefferson County Board of Education.

3.3 Controlled Substance: A federally regulated substance listed in Exhibit A and/or Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and West Virginia Code § 60A-2-201, et seq., (which may be amended from time to time), when taken into the body, may impair one's mental faculties and/or physical performance.

3.4 Conviction: A finding of guilty (including a plea of nolo contendre) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State Criminal Drug
3.5 Criminal Drug Statute: A criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.

3.6 Grantee: Any department, division, unit, or any person responsible for the performance of work under the provisions of a federal grant.

3.7 Contractor: Any department, division, unit, or any person responsible for the performance of work under a contract.

3.8 Federal Agency: Any agency as that term is defined in Section 552 (f) of Title IV, United States Code.

3.9 Alcohol: Alcoholic beverages and any other intoxicating liquid that contains alcohol.

3.10 Legal Drug: Prescribed drugs and over-the-counter drugs that have been legally obtained and are being used solely for the purpose for which a physician or manufacturer prescribed them.

3.11 Illegal Drug: Any drug that is not legally obtainable and/or is being used in a manner or for a purpose other than as prescribed.

3.12 Work Day: The work day includes all times when an employee is engaged in any work-related activity which includes performance of business during a regularly scheduled work day, meal break and/or any occasion having a connection with the Board of Education and/or the employee's duties, and at all times the employee is on the job site.

Section 4 Content

4.1 It is the policy of the Jefferson County Board of Education to ensure that its workplaces are free of illegal drugs and controlled substances by prohibiting the unlawful manufacture, distribution, possession or use, without medical authorization, of illegal or controlled substances and/or alcohol; the reporting to work under the influence of a non-medically prescribed controlled substance or alcohol; or possession of non-medically prescribed paraphernalia, drugs, or alcohol.

4.2 The policy is applicable while employees are engaged in any work-related activity, which includes performance of business during regularly scheduled workdays, meal breaks, and/or occasions having a connection with the Board of Education. In addition, this policy is applicable at any and all times when employees are on Board property, in attendance of any school or school board activity/function. It is further applicable during the performance of any and all job related activities and/or while traveling in any vehicle owned, leased or rented by the Board of Education.

4.3 The policy's primary goal is to ensure that alcohol and illegal drug and/or controlled substance use is eliminated and that the Jefferson County Board of Education workplace is safe, healthy, productive, and secure for its employees, students, and citizens.

4.4 Procedure for an employee who voluntarily requests assistance for
substance abuse:

4.4.1 The employee who voluntarily requests help because he/she is using a controlled substance and/or alcohol at times other than during the work day, times other than while in attendance at school, school/Board of Education sponsored events shall be accorded the following:

I. The employee shall be required to meet with his/her immediate supervisor, the superintendent of Schools, and the administrator in charge of personnel.

II. The employee shall be granted up to fifteen days of leave to provide verification he/she is enrolled in a substance abuse and/or alcohol abuse counseling/rehabilitation program and provide verification he/she attends the counseling/rehabilitation sessions on a regular basis as specified in the counseling/rehabilitation program. (Should this exceed fifteen working days, the employee will not be compensated for additional days until it is determined he/she has met the requirement of section 4.4.)

III. The employee shall be required to provide his/her immediate supervisor with the results of a drug and/or alcohol test on the twelfth calendar day of each month for six months following his/her return to work.

4.5 Possession, use, and/or distribution of a controlled substance and/or alcohol will be dealt with promptly in accordance with legal and administrative disciplinary procedures.

4.5.1 Disciplinary action for the violation of the policy shall be as follows:

I. The employee who uses, has in his/her possession and/or is under the influence of a controlled substance and/or alcohol in a school, on School Board property, during the performance of any job-related activity, while traveling in a vehicle either owned, leased, or rented by the School Board and/or at any school/School Board sponsored activity

A. First Offense

1. The police will be notified.

2. The employee shall be suspended with pay up to fifteen days after the employee has been afforded due process.

3. Following a Board hearing the employee may be suspended up to ninety days without pay.

4. The employee will be required to enroll in a substance abuse counseling program. Failure
to enroll in a counseling program or to follow the prescribed counseling program shall be grounds for termination of employment.

5. The employee will be required to furnish verification he/she has successfully completed a substance abuse counseling program and a physician's statement verifying the employee is drug/alcohol free prior to returning to a job site or work station.

6. The employee will be required to provide on the twelfth day of each month for six months following reinstatement a physician's statement verifying that the employee has remained drug/alcohol free.

B. Second Offense
1. The police will be notified.
2. The employee shall be suspended with pay up to fifteen days after the employee has been afforded due process.
3. The superintendent shall recommend to the Board of Education that the employee be dismissed.

II. The employee who is manufacturing and/or distributing any controlled substance and/or alcohol on school property, at any school/Board of Education sponsored activity, while performing any job-related activity or while traveling in a vehicle owned, leased, or rented by the Board of Education

A. The police will be notified.
B. The employee shall be suspended with pay up to fifteen days after the employee has been afforded due process.
C. The superintendent shall recommend to the Board of Education that the employee be dismissed.

4.5.2 State or county agencies, who are contractors or grantees of federal contracts or grants amounting to at least $25,000, are subject to suspension of payments and termination of contract or grant for violations of any of the requirements of a drug-free workplace if they make false initial certification, or if the number of drug-related convictions of employees indicates that the employer hasn't made a good faith effort to maintain a drug-free workplace.

4.6 As a condition of employment with the Jefferson County Board of Education, employees shall
4.6.1 Abide by the terms of this policy: compliance is mandatory.

4.6.2 Notify their supervisor or department head of any criminal drug statute conviction for a violation occurring in the workplace, no later than five days after such conviction.

4.7 It shall be the responsibility of the Department of Human Resources to establish a drug awareness program for Jefferson County Board of Education employees to provide information on the following:

4.7.1 The Employee Referral Program
4.7.2 The dangers of drug-abuse in the workplace
4.7.3 The establishment and maintenance of a drug-free workplace
4.7.4 The penalties for workplace drug-abuse
4.7.5 Available drug-free literature
APPENDIX 1
Chapter 6, Section 1.4
DRUG-FREE WORKPLACE

Substance Abuse Counseling Resources

Peter Callahan
304-886-4118

Anita Ryan
304-263-4741

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

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

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

New Horizons
304-876-3878

Potomac Crossroads
304-876-2770

Shenandoah Behavioral Health
304-263-7023

Juvenile Drug Court
Dr. Sheri Hoff, Representative
Jefferson County Schools
304-728-9221
Drug Violations

Federal Web Site: (Department of Justice www.justice.gov/dea/index.shtml)

State Web Site: www.legis.state.wv.us

Go to the WV State Code menu for information on the listed schedules.

WV Code Sections 60A-2-204, 206, 208, 210 and 212 provide Schedules I, II, III, IV, and V of Controlled Substances as referred to hereafter. In reviewing offenses involving the Schedules of Controlled Substances, you may refer to the type of drug in each schedule looking up that section of WV Code or you may review copies of the Schedules of Controlled Substances at the following locations:

1. Superintendent
2. Human Resources
3. Principal
I, _______________________________________________, verify that I have received a copy of the Jefferson County Board of Education Drug-Free Workplace Policy, approved on ______________________ and a list of some available drug and alcohol counseling and rehabilitation and re-entry programs. I understand that compliance with this policy is mandatory.

Name _______________________________
Signature ____________________________
Date ________________________________
I. Purpose

The purpose of this policy is to prohibit the use or distribution of tobacco products in school buildings, on school grounds, in board-leased or owned vehicles, and at all school affiliated functions in order to improve the health of Jefferson County students and school personnel. Students may not possess any tobacco product at any time. The use of tobacco products has a direct link to numerous health problems, and this policy is intended to prevent students, school personnel, and visitors from being exposed to secondhand smoke and to prevent youth addiction to tobacco products. This policy is intended to promulgate a positive, pro-active approach to tobacco control. In addition, school personnel shall act as positive role models for students by not distributing or using tobacco products while performing their official duties.

II. Application

A. This policy shall apply at all times to any building, property or vehicle leased, owned or operated by the Jefferson County Board of Education. This policy shall apply to any private building, or other property including automobiles or other vehicles used for school activities when students and/or staff are present.

B. No person shall distribute or use any tobacco product in any area defined in Section A of this policy at any time.

C. Individuals supervising students off school grounds are prohibited from distributing or using any tobacco product while in the presence of students or any time while engaged in any activities directly involving students.

D. No school or board property as defined in Section A of this policy, or school or county publication may be used for advertising any tobacco product.

E. Groups using areas described in Section A shall sign agreements with the Board of Education agreeing to comply with this policy and to inform students, parents, and spectators that this policy remains in force on evenings, weekends, and other times that school is not in session.

III. Prevention

A. Education/prevention programs will be delivered at all schools as a part of the drug-free schools program and as provided for the West Virginia State Board adopted instructional goals and objectives for health.

B. Staff development will be scheduled to provide teachers and administrators with the skills/techniques to:
1. Provide students with an instructional program that stresses the health hazards connected with tobacco use as well as the social ramifications.

2. Deliver a strong message of zero tolerance.

3. Address policy violations in a professional manner.

C. Students and staff will be advised of available cessation classes.

IV. Implementation

A. Every school in the county school district shall have a Tobacco Control Policy that meets the stipulations of this policy and adheres to the following guidelines. This policy serves as school policy except where the need for school-level procedures or measures is indicated. Compliance is mandatory. Schools may impose additional strategies and restrictions not outlined in county policy provided they meet the tenets and intent of the county policy.

B. Administration: Administration procedures for dealing with tobacco are the responsibility of all county and school administrators as follows:

1. It is the responsibility of each school administrator to implement provisions of this policy within their schools, specifically education, communication, and enforcement provisions as outlined in this policy.

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

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

V. Enforcement

A. Staff

Staff members who violate West Virginia Code § 16-9A-4, Tobacco Use Restrictions, shall be reported to law enforcement.

1. First Offense: Letter of reprimand to personnel file and referral to cessation classes.

2. Second Offense: Letter of reprimand to personnel file and employee must show proof he/she has...
enrolled in a cessation class within ten days and provide his/her supervisor proof of attendance until completion of class.

3. Third Offense: Same as second offense.

4. Fourth Offense and Each Additional Offense: One-day suspension without pay. Employee must show proof of enrollment in a cessation class within ten days and provide his/her supervisor with proof of attendance in cessation class until completion of class.

B. Students

1. First Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, advised as to availability of cessation classes and referred to law enforcement.

2. Second Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, mandatory attendance in a tobacco cessation class at the student's expense and referred to law enforcement.

3. Third and Each Additional Offense: Same as "2" above plus twenty hours of community/school service approved by the school administration and referred to law enforcement.

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

These enforcement measures are aligned with:

A. West Virginia Board of Education Policy 4373, The Expected Behavior in Safe and Supportive Schools;

B. West Virginia Board of Education Policy 5310, Personnel Staff Evaluation: Professional Responsibilities and Performance Standards;

C. West Virginia Board of Education Policy 1461, Drug-Free Workplace; and


C. Visitors
1. First Offense: Offenders shall be asked by the school employee who witnesses the incident to cease the use of tobacco products and report it to law enforcement.

2. Repeat Offenders: Repeat offenders shall be notified by certified letter by the school principal that they are banned from all Jefferson County Board of Education property for a period of not less than one year. This letter will be copied to law enforcement.

3. Failure by offenders to abide by the notice shall result in the filing of a complaint with law enforcement by the building administrator.

VI. Communication

A. Staff

All staff members will be provided a copy of the policy at the time of adoption. New staff members shall be provided a copy of the policy at the time of employment. A copy will be posted in the offices and workrooms of all Board facilities.

B. Students and Parents

A copy of the policy will be provided to all students at the time of adoption. The policy will be included in the Student/Staff/Parent Handbook.

C. Visitors

A copy of the policy will be posted in the main entrance to all Board facilities, and "tobacco free zone" signs shall be posted outside of all Board facilities and at the entrance to all athletic fields.

D. Other

A list of cessation programs/classes available to students and staff may be found in Appendix A of this policy.

VII. Policy Review

This policy will be reviewed every two years and appropriate modifications made at the advice of school administrators, faculty, faculty senates, local school improvement councils, and parent organizations.
APPENDIX A

Chapter 6, Section 1.4.1
Tobacco Control Policy

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

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

University Health Care Jefferson Medical Center
(304) 728-1600

American Cancer Society
1-800-227-2345

Jefferson County Schools
Office of the Assistant Superintendent of Curriculum and Instruction
(304) 725-9741
Section 1.0 Transportation

The Jefferson County Board of Education has a vital interest in maintaining a safe, healthy, and efficient work environment for its employees. Likewise, the Jefferson County Board of Education is committed to students, parents, and the general public to operate its facilities safely and prudently. Consistent with these interests and according to the regulations promulgated by the United States Department of Transportation, Federal Highway Administration, pursuant to the Omnibus Transportation Employee Testing Act of 1991, the Jefferson County Board of Education has adopted and implemented this Transportation Employee Alcohol and Controlled Substance Policy. This policy creates obligations and requirements over and above those articulated by the Jefferson County Board of Education Drug-Free Workplace Policy, and does not supersede or nullify any provision of the Jefferson County Board of Education Drug-Free Workplace Policy.

Section 2.0 Purposes

2.1 The purposes of this Transportation Employee Alcohol and Controlled Substance Policy are as follows:

A. To establish and maintain a healthy and safe working environment for all of the employees of the Jefferson County Board of Education;

B. To ensure the reputation of the Jefferson County Board of Education and its employees as good, responsible citizens;

C. To reduce the possibility of accidental injury to persons or property;

D. To reduce absenteeism, tardiness, and indifferent job performance; and

E. To allow any affected employee the opportunity to overcome any addiction to, dependence upon, or problem relating to alcohol or controlled substances in accordance with the Jefferson County Board of Education’s Employee Referral Program (ERP).

Section 3.0 Definitions

3.1 “Accident” means, except as provided in Section 3.1 “B” of this policy, as follows:

A. An occurrence involving a commercial motor vehicle operating on a public road that results in:

1. A fatality;

2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene or the accident; or
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

B. The term “accident” does not include the following:

1. An occurrence involving only boarding and alighting from a stationary motor vehicle; or
2. An occurrence involving only the loading or unloading of cargo; or
3. An occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle (as defined in 49 C.F.R. Section 571.3) by a motor carrier where the motor carrier is not transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be marked or placarded in accordance with 49 C.F.R. Section 177.823.

3.2 “Alcohol” means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

3.3 “Alcohol Concentration (or Content)” means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

3.4 “Alcohol Use” means the consumption of any beverage, mixture or preparation, including any medication containing alcohol.

3.5 “Board” means the Jefferson County Board of Education.

3.6 “Controlled Substance” has the meaning as such term has under Section 102 (6) of the Controlled Substances Act (21 U.S.C. Section 802 (6) and includes all substances listed on Schedules I through V of 21 C.F.R. Part 1308 and West Virginia Code, Section 60A-2-201 through 213, as they may be revised from time to time.

3.7 “Commercial Motor Vehicle” has the same meaning as such term has under 49 C.F.R Section 382.107.

3.8 “DOT” means the Department of Transportation.

3.9 “Driver” has the same meaning as such term has under 49 C.F.R., Section 382.107, and includes any person employed by the Board who operates a commercial motor vehicle including, but not limited to, the following persons employed by the Board; bus operator, substitute bus operator, chief mechanic, mechanic, assistant mechanic, truck drivers who hold a commercial driver’s license (CDL), maintenance staff members who hold a CDL, supervisor of maintenance and supervisor of transportation if either of these employees hold a CDL, and other employees of the Board who are
required to hold a CDL to perform their jobs. For the purposes of pre-employment/pre-duty testing only, the term “driver” includes a person applying to the Board to drive a commercial motor vehicle.

3.10 “Performing (a safety-sensitive function)” means a driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform or immediately able to perform any safety-sensitive function.

3.11 “Safety-Sensitive Function” has the same meaning as such term has under 49 C.F.R., Section 382.107 and includes time spent waiting to be dispatched, time spent inspecting equipment or otherwise inspecting, servicing or conditioning any commercial motor vehicle, all driving time, all time spent in or upon any commercial motor vehicle, all time spent loading or unloading a commercial motor vehicle or attending a vehicle being loaded or unloaded, and all time spent repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.

3.12 “Substance Abuse Profession” or “SAP” means a licensed physician or a licensed or certified psychologist, social worker, employee assistance professional or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance related disorders.

Section 4.0 Policy

4.1 Prohibitions Relating to Alcohol

A. All drivers are prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

B. All drivers are prohibited from being on duty or operating a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment.

C. All drivers are prohibited from using alcohol while performing safety-sensitive functions.

D. All drivers are prohibited from performing safety-sensitive functions within four hours after using alcohol.

E. All drivers required to take a post-accident alcohol test pursuant to Section 5.2 of this policy are prohibited from using alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

4.2 Prohibitions Relating to Controlled Substances

A. All drivers are prohibited from reporting for duty or remaining on duty requiring the performance of safety-
sensitive functions when the driver uses any controlled substance, except under the following circumstances:

1. The use is pursuant to the instructions of a physician who has advised the driver that the controlled substance does not adversely affect the driver’s ability to safely operate a commercial motor vehicle; and

2. The driver has notified the Board, in advance, of any such therapeutic drug use.

B. All drivers are prohibited from reporting for duty, remaining on duty or performing a safety-sensitive function, if the driver tests positive for controlled substances.

4.3 No driver shall refuse to submit to any alcohol or controlled substance test required by Section 5.1 through 5.6 of this policy. Any driver who refuses to submit to such tests shall be prohibited from performing safety-sensitive functions and shall be subject to Section 4.4 of this policy.

4.4 Compliance with this policy is a condition of employment with the Board. Any driver who violates any provision of this policy or whose required alcohol or controlled substance test precludes them from meeting the requirements of this policy shall be removed from the performance of safety-sensitive functions.

A. First Offense: Any driver who violates any provision of this policy or whose required alcohol or controlled substance test precludes them from meeting the requirements of this policy shall be suspended, without pay, for a period of no less than thirty working days and referred to a substance abuse professional in accordance with Section 8.3 of this policy.

B. Second Offense: If a driver violates any provision of this policy or if his/her required alcohol or controlled substance test precludes him/her from meeting the requirements of this policy and the driver has previously been subject to discipline pursuant to Section 4.4(A), the superintendent shall initiate proceedings to terminate the employment of such driver.

4.5 Other Alcohol-related Conduct

A. Any driver tested under the provisions of Sections 5.1 through 5.6 of this policy who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 is prohibited from performing or continuing to perform safety-sensitive functions for the Board until the start of the driver’s next regularly scheduled duty period, but not less than twenty-four hours following administration of the test. The driver will not receive pay for the period of time he/she is
not allowed to drive.

B. Except as provided in Section 4.5 (A) of this policy, the Board shall take no action under this policy against a driver based solely on test results showing an alcohol concentration less than 0.04.

Section 5.0  Required Alcohol and Controlled Substances Testing

5.1 Pre-employment Testing
A. Prior to the first time a driver performs safety-sensitive functions, the driver shall be required to undergo testing for alcohol and controlled substances.

B. No driver shall be permitted to perform safety-sensitive functions unless the driver had been administered an alcohol test with a result indicating an alcohol concentration less than 0.04 and has received a controlled substance test result from the medical review officer indicating a verified negative test result.

5.2 Post-accident Testing
A. As soon as practicable following an accident involving a commercial motor vehicle, each surviving driver shall be tested for alcohol and controlled substances if such surviving driver:

1. Was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

2. Receives a citation under state or local law for a moving traffic violation arising from the accident.

B. If a post-accident alcohol test is not administered within two hours following the accident, the Board shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a post-accident alcohol test is not administered within eight hours following the accident, the Board shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

C. If a post-accident controlled substance test is not administered within thirty-two hours following the accident, the Board shall cease attempts to administer a controlled substance test and shall prepare and maintain on file a record stating the reasons the test was not promptly administered.

D. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the Board to have refused to submit to testing.

E. A driver who is subject to post-accident testing shall, as soon
as practicable, following an accident involving a commercial motor vehicle take the following action:

1. Telephone contact the Drug and Alcohol Testing Vendor, as designated by the Board;
2. Report to the designated location for testing; and
3. Notify his/her supervisor of the accident.

F. The results of a breath or blood test for the use of alcohol or a urine test for the use of controlled substances conducted by federal, state or local officials having independent authority for the test shall be considered to meet the requirements of this policy regarding post-accident testing, provided that such tests conform to applicable federal, state or local requirements and that the results of the tests are obtained by the Board.

5.3 Random Testing

A. Drivers shall be tested for alcohol or controlled substances at various times on an unannounced, random basis.

B. Consistent with applicable federal regulations (49 C.F.R. Section 382.305), the minimum annual percentage rate for random alcohol testing shall be twenty-five percent of the average number of driver positions.

C. Consistent with applicable federal regulations (49 C.F.R. Section 382.305), the minimum annual percentage rate for random controlled substance testing shall be fifty percent of the average number of driver positions or such other percentage rate as is published by the DOT Federal Highway Administration in the Federal Register.

D. The selection of the drivers for random alcohol and controlled substances testing shall be made by the scientifically valid method of a computer-based random number generator that is matched with drivers’ social security numbers.

E. A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions or just after the driver has ceased performing such functions.

5.4 Reasonable Suspicion Testing

A. Drivers shall be required to submit to an alcohol test when the Board has reasonable suspicion to believe that the driver has violated the prohibitions of Sections 4.1 (A), 4.1 (C), 4.1 (D), and/or 4.1 (E) set forth above.

B. Drivers shall be required to submit to a controlled substance
test when the Board has reasonable suspicion to believe that the driver has violated the prohibitions of Sections 4.2 (A) and/or 4.1 (B) set forth above.

C. The Board’s determination that reasonable suspicion exists to require the driver to undergo an alcohol or controlled substance test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

D. The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or Board official who is trained in accordance with Section 8.1 of this policy. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.

E. Reasonable suspicion alcohol testing is authorized only if the observations required by Section 5.4 (C) are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this policy. A driver may be directed by the Board to undergo reasonable suspicion alcohol testing only while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

F. If a reasonable suspicion alcohol test is not administered within two hours following the observations required by Section 5.4 (C) of this policy, the Board shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a reasonable suspicion alcohol test is not administered within eight hours following the observations required by Section 5.4 (C) of this policy, the Board shall cease attempt to administer an alcohol test and shall prepare and state in the record the reasons for not administering the test.

G. Notwithstanding the absence of a reasonable suspicion alcohol test under this section, all drivers are prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until:

1. An alcohol test is administered and the driver’s
alcohol concentration measures less than 0.02; or

2. Twenty-four hours have elapsed following the determination under Section 5.4 (C) of this policy that there is reasonable suspicion to believe that the driver has violated the prohibitions in this policy concerning the use of alcohol.

H. Except as otherwise provided by this policy and/or by any independent authority, the Board shall take no action against a driver based solely on driver’s behavior and appearance, with respect to alcohol use in the absence of an alcohol test.

I. A written record shall be made of the observations leading to a controlled substance reasonable suspicion test, and signed by the supervisor or Board official who made the observations, within twenty-four hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier.

5.5 Returned-to-Duty Testing

A. Subject to Section 4.4 of this policy, before a driver returns to duty requiring the performance of safety-sensitive functions after engaging in conduct prohibited by Section 4.1 of this policy, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

B. Subject to Section 4.4 of this policy, before a driver returns to duty requiring the performance of safety-sensitive functions after engaging in conduct prohibited by Section 4.2 of this policy, the driver shall undergo a return-to-duty controlled substance test with a result indicating no substance use.

5.6 Follow-up Testing

A. Following a determination under Section 8.3 of this policy that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substance, the Board, subject to Section 4.4 of this policy, shall ensure that the driver is subject to unannounced follow-up alcohol and/or controlled substances testing as directed by a substance abuse professional in accordance with Section 8.4 of this policy.

B. Follow-up alcohol testing, if any, shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

Section 6.0 Testing Procedures

“Excellence in Teaching and Learning”
6.1 All alcohol and controlled substance testing conducted pursuant to this policy shall comply with the procedures promulgated by DOT and set forth in 49 C.F.R. Part 40, as they may be revised from time to time.

6.2 Alcohol Testing Procedures

A. All alcohol testing conducted pursuant to this policy shall be conducted by a trained breath alcohol technician (BAT) who shall utilize only an evidential breath testing device (EBT) approved by the National Highway Safety Administration.

B. A BAT qualified supervisor of a driver may conduct the alcohol test for that driver only if another BAT is unavailable to perform the test in a timely manner.

C. Alcohol testing shall be conducted in a location that affords visual and aural privacy to the driver being tested, sufficient to prevent unauthorized persons from seeing or hearing test results.

D. The breath alcohol testing form promulgated by DOT shall be used for all alcohol testing without modification.

E. Blood alcohol testing shall be conducted only under such circumstances as may be permitted under future DOT regulations.

6.3 Controlled Substances Testing

A. Controlled substances testing shall be conducted by way of the split-sample method of urine collection. After the driver being tested has provided a urine sample of at least 45-ml, the sample must be split into two specimen bottles to be shipped in a single shipping container, together with the chain of custody form, to a DHHS-certified laboratory for analysis.

B. The Board and the certified laboratory shall develop and maintain clear and well-documented procedure for collection, shipment and accessing of urine specimens, including an appropriate chain of custody form. Handling and transportation of urine specimens from one authorized individual or place to another shall always be accomplished through chain of custody procedures.

C. It is recognized that the Board has the right to request that the personnel administering urine collection to take such steps as are necessary to detect tampering or substitution while maintaining individual privacy. If it is established that a driver’s specimen has been intentionally tampered with or substituted by the driver or someone on his/her behalf, the driver will be subject to discharge.
D. The result of the certified laboratory analysis is reviewed by a Medical Review Officer (MRO), who is a licensed physician responsible for receiving laboratory results generated by this policy and who has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his/her medical history and other relevant biomedical information.

E. If the test result of the primary specimen is positive, the driver may request that the MRO direct that the split specimen be tested in a different DHHS-certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within seventy-two hours of the driver having been notified of a verified positive test result. Action required by this policy as the result of a positive drug test (e.g., removal from performing safety-sensitive functions) is not stayed pending the result of the test of the split specimen. If the result of the test specimen fails to reconfirm the presence of the drug(s) found in the primary specimen, the MRO shall cancel the test and report the cancellation and the reasons for it to the DOT, the Board and the driver.

Section 7.0 Handling of Test Results, Record Retention and Confidentiality

7.1 The Board shall maintain records of its alcohol and controlled substance use prevention programs as provided below. Such records shall be maintained in a secure location with controlled access.

7.2 Record Retention

A. Five-year retention. The following records shall be maintained for a minimum of five years:

1. Records of driver alcohol test results with results indicating an alcohol concentration of 0.02 or greater;
2. Records of driver verified positive controlled substance test results;
3. Documentation of refusals to take required alcohol and/or controlled substance tests;
4. Calibration documentation;
5. Driver evaluation and referrals; and
6. A copy of each annual calendar year summary.

B. Two-year retention. Records related to the alcohol and controlled substance collection process and training shall be
maintained for a minimum of two years.

C. One-year retention. Records of negative and cancelled controlled substance test results and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year.

7.3 The Board shall prepare and maintain an annual calendar year summary of the results of its alcohol and controlled substance testing programs performed pursuant to this policy and in accordance with 49 C.F.R. Section 382.403.

7.4 Except as required by law or this policy, the Board shall not release driver information that is contained in records required to be maintained under Section 7.2 of this policy. A driver is entitled, upon written request, to obtain copies of any records pertaining to his/her alcohol or controlled substance tests.

7.5 The Board must obtain, pursuant to a driver’s written consent, any of the information concerning the driver that is maintained under an alcohol and controlled substances testing policy by the driver’s previous employers. Such information must be obtained and reviewed by the Board no later than fourteen calendar days after the first time a driver performs safety-sensitive functions. The release of any information under this part may take the form of personal interviews, telephone interviews, letters, or any other method of obtaining information that ensures confidentiality. The Board shall maintain a written, confidential record with respect to each past employer contacted.

Section 8.0 Training and Referral

8.1 The Board shall ensure that persons designated to determine whether reasonable suspicion exists to require a driver to undergo testing pursuant to Section 5.2(C) of this policy shall receive at least sixty minutes of training on alcohol misuse and receive an additional sixty minutes of training on controlled substance use. The training shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

8.2 Any driver who has engaged in conduct prohibited by Sections 4.1 through 4.3 of this policy shall be provided information regarding the Board’s Employee Referral Program.

8.3 Any driver who has engaged in conduct prohibited by Sections 4.1 through 4.3 of this policy shall be evaluated at the driver’s expense by a substance abuse professional who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substance use.

8.4 Returning to Duty

A. Subject to Section 4.4 of this policy, before a driver returns
to duty requiring the performance of safety-sensitive functions after engaging in conduct prohibited by Sections 4.1 through 4.3 of this policy, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than .02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substances.

B. In addition, subject to Section 4.4 of this policy, each driver identified, as needing assistance in resolving problems with alcohol misuse or controlled substance use, shall be evaluated by a SAP to determine that the driver has properly followed any rehabilitation program prescribed under Section 8.3 of this policy before returning to duty requiring the performance of safety-sensitive functions and shall be subject to unannounced follow-up alcohol and controlled substance tests following the driver’s return to duty.

C. Any costs associated with any follow-up or return-to-duty testing shall be the responsibility of the driver.

1.5 Communicable Disease Control Policy

New Policy Approved 7/23/12

See Chapter 8, Section 3.5 – All employees of the Jefferson County Board of Education shall adhere to this policy.

1.6 Development of Policies and Rules

Approved 10/28/04

The Board believes that our system will function more efficiently and effectively if all employees associated with it are involved in policy making. Therefore, suggestions and recommendations concerning the operation of the schools are solicited from all concerned employees. Periodically, Board employees may be asked to become involved formally in revisions to existing policies and development of recommendations for changes or additions.

1.7 Staff-Community Relations

Approved 10/28/04

Staff members are encouraged to participate in community, civic, and school activities, if they so desire. It is understood that these types of activities shall not in any way interfere with the employee’s obligations to the school district.

1.8 Solicitation by Non-school Organizations

Approved 10/28/04

Any organization, not school sponsored or related, seeking to solicit funds or sell items through the school or on school property must have written authority from the county office (superintendent). This is not to apply to representatives of reputable publishing companies and school supplies firms not selling through or directly to students.

The only organization soliciting funds from Board employees which has the support and encouragement of the Board and administration is the Jefferson County United Way.
1.9 Copyright Policy

The Jefferson County Board of Education and all its employees are subject to the provisions of the current United States Copyright and Congressional Guidelines. Teachers, administrators, librarians, and other county personnel will take an active role in assuring compliance with the United States copyright laws and congressional guidelines.

The County does not sanction illegal use or duplication in any form. Unlawful copies of copyrighted materials may not be produced or used on county-owned equipment, within county-owned facilities, or at county-sponsored functions. Employees who willfully violate the copyright laws and policies do so at their own risk and may be required to remunerate the county in the event of a loss due to litigation. State Board policy requires the dismissal of any employee who illegally copies computer software.

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

1. Introduction and Purpose

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

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

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

- electronic communication,
- information and news services,
- public domain and shareware software of all types,
- discussion groups on a variety of subjects, and
- connections to many libraries, companies, agencies, and businesses.
With connections to computers and people all over the world comes the availability of materials that may not be considered to be of appropriate educational value. On a global network, it is impossible to completely restrict access to controversial materials. It is the responsibility of the student, parent, teacher and administrator to ensure that access to telecommunication networks and computers provided by the school system is not abused and that all users treat one another with respect.

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

2. Privileges and Background

The use of the Internet as part of an educational program is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Based upon acceptable use of guidelines outlined in this document, the West Virginia Department of Education (WVDE) and WVNET system administrators and Jefferson County Schools will deem what is inappropriate use, and their decision is final. Also, system administrators and/or local teachers/administrators may deny user access at any time, as necessary. Users must be in compliance with the rules and regulations of West Virginia Board of Education Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet (http://wvde.state.wv.us/policies/p2460.html).

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

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

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

3. Security

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

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

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

4. Parental Consent

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

5. Acceptable Use and Behavior

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

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

- Network and system files;
- User files and disk space utilization;
- User applications and bandwidth utilization;
• User document files, folders and electronic communications;
• E-mail;
• Internet access; and
• Any and all information transmitted or received in connection with networks, e-mail use and web-based tools.

A. The use of the Internet must be in support of education and consistent with the educational objectives of the West Virginia Board of Education. Use of other networks or computing resources must comply with the rules appropriate for that network.

B. Users must also be in compliance with the rules and regulations of West Virginia Policy 2460: Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and Internet Policy.

C. Treat others on the Internet the way you would treat people in person. Jefferson County Schools will not tolerate cyber bullying (see Jefferson County policy Expected Behavior in Safe and Supportive Schools). Users will not be permitted to send and/or post abusive messages to others. If a student bullies another person while using the Jefferson County Schools' Internet or other networks, the educators in the district have the right to discontinue his/her use of the system and/or to impose further disciplinary action up to and including suspension or expulsion.

D. Proper codes of conduct in electronic communication must be used. Giving out personal information is inappropriate. When using email, extreme caution must always be taken in revealing any information of a personal nature. Emails other than Access accounts or LiveGrades accounts should not be used at school.

E. Access Email: WVDE can monitor the email accounts issued to the “access.k12.wv.us” server, which is administered by the WVDE. Non-“access.k12.wv.us” e-mail accounts should not be used for school/educational purposes. All liability for any non-“access.k12.wv.us” email accounts lies with the administrator(s) and/or educator(s) responsible for student utilization of alternative accounts or the administrator(s) and/or educator(s) identified as responsible for the server being used. In order to be issued an “access.k12.wv.us” email account, users will be required to receive training on appropriate email use. Contact your teacher or school “access.k12.wv.us” email contact for more information.
F. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.

G. Exhibit exemplary behavior on the network as a representative of your school and community. Use appropriate language.

H. Comply with fair-use laws and other copyright regulations while accessing and utilizing the Internet and other network materials and resources.

6. User Responsibilities

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

A. Student Responsibilities

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

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

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

B. Educator Responsibilities

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

Collaboration, resource sharing, and student/teacher, student/student, and teacher/parent dialogue can all be facilitated by
the use of social media and other electronic communication. Such
interactivity outside of the school walls can greatly enhance face-to-
face classes. However, it is imperative that a clear line be drawn
between personal social networking and professional/educational
networking to protect the safety of the students and the integrity of
educational professionals and service staff.

In order to assist educators in maintaining a professional
relationship with students and to avoid situations that could lead to
inappropriate relationships between school personnel and students,
the following regulations apply to all school personnel. Failure to
adhere to these regulations may result in disciplinary action and/or
loss of licensure:

- School personnel will maintain a professional relationship
with all school students, both inside and outside the
classroom and while using any form of social media and
other electronic communication. Unethical conduct includes
but is not limited to committing any act of harassment as
defined by district policy; committing or soliciting any
sexual act from any minor or any student regardless of age;
soliciting, encouraging, or consummating a romantic or
inappropriate relationship with a student, regardless of the
age of the student; using inappropriate language including,
but not limited to, swearing and improper sexual comments;
taking inappropriate pictures (digital, photographic or video)
of students or exchanging any inappropriate pictures with
students; or engaging in any other behavior that constitutes
a violation of county policy or that is detrimental to the
health and welfare of students.

- The viewing, storing, transmission or downloading of
pornography or sexually suggestive or sexually explicit
material or text on a work computer or other electronic
storage or communication device, whether at home or at
work, by school personnel or anyone else to whom the
school personnel has made the computer or other electronic
storage or communication device available, is prohibited.
This same prohibition applies to a personal computer or
other electronic storage or communication device while at
school or a school activity.

- All information stored within work computers or servers is
the property of the state, county or school, and the personnel
using such computers/servers/networks have no expectation
of privacy with respect to its contents.
School personnel who receive information via any electronic resource, including a social networking site that falls under the mandatory reporting requirements of W. Va. Code § 49-6A-2, must report as indicated in W. Va. Code.

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

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

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

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

7. County/School Website Publication

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

8. Passwords

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

9. Network Policies and Miscellaneous Technology Use

A. Off-site Use of County Property
District/school equipment that is used off site is subject to the same rules as when used on site.

B. Prohibitions on Camera/Audio Recording

Camera or audio recording functions of electronic devices may pose threats to the personal privacy of individuals, be used to exploit personal information, and or compromise the integrity of educational programs. Accordingly, the use of the audio recording or camera functions of electronic devices is strictly prohibited on school premises at all times.

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

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

C. Personal Technology Devices

1. Students

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

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

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

3. Vendors and Other School Visitors

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

10. Violations/Sanctions

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

A. Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), notice is hereby given that there are no facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

B. WVDE, WVNET and Jefferson County Schools will not be responsible for any damages you may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by your own negligence or your errors or omissions. Use of any information obtained is at your own risk.

C. WVDE, WVNET and Jefferson County Schools make no warranties (expressed or implied) with regard to any costs or charges incurred as a result of seeing or accepting any information and any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.

D. WVDE, WVNET, and Jefferson County Schools deny any responsibility for the accuracy or quality of information obtained through the system.

E. All provisions of this agreement are subordinate to local, state and federal statutes.

F. This policy is in compliance with state and federal telecommunications rules and regulations.
Staff/Adult Consent Form for the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet

The following form must be read, signed, and returned to your supervisor.

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

I further agree to abide by the rules contained within State Policy 2460 and my School’s/location’s policy on Internet/Telecommunication.

Name (please print)____________________________
Signature ____________________________________
Date ________________________________________
School/Location Name _________________________
2.0  Staff Recruitment and Employment

2.1  Professional Positions

2.1.1 Recruitment

All vacancies and new positions within the school district shall be publicized within the district and at appropriate locations and in appropriate ways outside the district. The Board encourages applications from all qualified candidates for any posted vacancies.

Reference: § 18A-4-7a

2.1.2 Teacher Certification

All teachers must hold a valid West Virginia teaching certificate for the position, which they are employed.

2.1.3 Teacher Qualifications

Qualifications for individual teaching positions are determined by the job descriptions attached to each posting. The most qualified candidate for all openings shall be employed in accordance with Title IX regulations.

2.1.4 Teacher Responsibilities

Teachers are responsible for understanding the general policies of the school and carrying out these policies to the best of their ability.

2.1.5 Itinerant Teachers

Definition: A teacher whose job location and assignment may be changed throughout the school year and/or from year to year due to adjustments in enrollments and student needs.

2.1.6 Hiring

Vacancies will be filed consistent with West Virginia State Code §18A-4-7a.

2.1.7 Probation

All teachers new to the Jefferson County School System shall initially be hired as probationary teachers. Reference: § 18A-2-8a

2.1.8 Leave of Absence/Reemployment

Given in accordance with West Virginia Code §§ 18A-2-2a and 18A-4-10.

2.1.9 Educator Internship Program

Section 1  Scope

Every person to whom a professional teaching certificate is awarded after the first day of January, one thousand nine hundred ninety-two, shall successfully complete a beginning teacher internship program under the provisions discussed below, except such persons who were awarded a professional teaching certificate on the basis of at least five years of teaching experience in another state.
Section 2 Purpose
The purpose of this program is to provide a continuum of growth from the pre-service to the professional teaching level.

Section 3 Monitoring
Monitoring of the program requirements will be conducted via the accreditation system outlined in § 18-2E-5 as well as through the elementary and middle/secondary county office staff.

Section 4 Technical Assistance
Technical assistance will be provided by the professional support team.

Section 5 Program Requirements
Requirement 1: A professional support team shall be comprised of the following: (1) the school principal, (2) county office administrator; and (3) an experienced classroom teacher at the school who teaches the same or similar subject and grade level as the beginning teacher, when possible, and who shall serve as a mentor for the beginning teacher.

Requirement 2: When possible, an orientation program for the beginning teacher shall be conducted prior to the beginning of the instructional term, but within the employment term, supervised by the mentor teacher.

Requirement 3: When possible, the mentor shall observe the beginning teacher’s classroom teaching skills for at least one class period per week during the first half of the school year. Observation time may be reduced at the discretion of the mentor with the principal’s approval to one class period every two weeks during the second half of the school year. The mentor shall provide documentation of all observations.

Requirement 4: Weekly meetings between the mentor and the beginning teacher shall occur at which the mentor and the beginning teacher discuss the performance of the beginning teacher and any needed improvements. These meetings may be reduced, at the discretion of the mentor and with the principal’s approval, to biweekly meetings during the second half of the school year. The mentor shall provide documentation of meetings.

Requirement 5: Monthly meetings of the professional support team shall occur to discuss the performance of the beginning teacher. Documentation required above shall be submitted at the monthly meeting.

Requirement 6: In-service professional development programs shall be provided through the professional development project of the center for professional development for beginning teachers and for mentors, both of which will be held in the first half of the school year.

Requirement 7: The mentor teacher shall receive a yearly stipend of six hundred dollars as provided by the State of West Virginia.

Requirement 8: A final evaluation of the performance of the beginning teacher shall be completed by the principal on a form developed by the state board of education. The final evaluation form shall be submitted by the
principal to the county school superintendent and shall include one of the following recommendations:

A. Full Professional Status: A recommendation of full professional status indicates that the beginning teacher has successfully completed the internship program and in the judgment of the principal has demonstrated competence as a professional educator;

B. Continuing Internship Status: A recommendation of continuing internship status indicates that in the judgment of the principal the beginning teacher requires further supervision and further employment in the district should be conditioned upon successful completion of an additional year under a beginning teacher internship program; or

C. Discontinue Employment: A recommendation to discontinue employment indicates that in the judgment of the principal the beginning teacher has completed two years of employment under supervision in a beginning teacher internship program, has not demonstrated competence as a professional educator, and will not benefit from further supervised employment in the district.

The provisions of this policy do not operate to guarantee contract renewal of employment of any teacher by the county board of education. (See § 18A-2-8)

Section 6 Beginning Principal Internship Program

Every person hired for the first time as an assistant principal, principal or vocational administrator after the first day of July, one thousand nine hundred ninety-five, shall complete a one school year, beginning principal internship program under the provisions of this section.

The Board will comply with the requirements outlined in West Virginia Code § 18A-3-2d.

2.1.10 Instructors for the Homebound Program

Instructors for the Homebound Program are to be paid a flat rate of twenty-five dollars per hour for direct instruction to students.

Instructors for the Homebound Program who reach long-term/full-time employment will be allowed to access the accrued sick leave time as according to the Jefferson County policy for long-term substitutes.

The homebound teacher will be paid the county adopted mileage rate of reimbursement for traveling from their designated school to the location of where homebound services are provided.

2.2 Service Positions

2.2.1 Recruitment and Hiring

The recruitment of service personnel is the responsibility of the Department
of Human Resources. All service personnel applicants will be interviewed by a committee of appropriate administrators or an administrator and a recommendation will be made by the superintendent to the Board. All positions will be filled according to West Virginia State Code.

2.2.2 Orientation

New service personnel orientation will be arranged by the administrator in charge of staff development. Orientation programs will vary according to classification of employment.

2.3 Tuberculin Test/Bus Operator Physicals  

All school personnel, including substitutes and regular volunteers, shall have one approved tuberculin skin test or chest x-ray at the time of employment performed by the local health department or the employee’s personal physician. Positive reactors and those with positive skin tests previously are to be immediately referred to a physician for evaluation and indicated treatment or further studies. School personnel found to have tuberculosis shall have their employment discontinued or suspended until the local health officer, in consultation with the Commissioner, approves a return to work. School personnel who have not had the required examination will be suspended from employment until reports of examination are confirmed by the local health officer. §16-3D-3

The school nurses shall identify and refer any students or school personnel to the local health officer in instances where they have reason to suspect that the individual has been exposed to tuberculosis or has symptoms indicative of the disease. §16-3D-3

The Board will assume the reasonable cost for the physicals required for regular and substitute bus drivers after initial employment begins. Whenever possible, a clinic will be established where all drivers will be required to have their physicals, if the Board is to pay for them.

2.4 Time Schedules  

2.4.1 Duty Time for Teachers

It is the responsibility of the building principal to plan the school day for his/her teachers. Teachers must be on duty at least fifteen minutes before children are required to be in their rooms. Teachers are to be available in their rooms during this time unless otherwise assigned in the building. Teachers are to remain at school at least fifteen minutes after the final bell rings. Scheduled faculty meetings, etc., may extend more than fifteen minutes beyond the dismissal time.

2.4.2 Hours of Instruction

The length of the instructional day shall be contingent upon requirements of the State Board of Education. Within these guidelines, principals are to plan schedules to provide maximum time for instruction. (Reference Policy 2510)

2.4.3 Class Schedules
A. Elementary
After consultation with the principal, the teacher is required to make a daily class schedule. This schedule is to be posted at the entrance of the teacher’s classroom.

B. Secondary
School administrators will confer with their staff and request input as to how best to meet the needs of the upcoming school term. School administrators are encouraged to notify personnel of their class schedules thirty days before the beginning of the upcoming school year.

2.4.4 Time Away from Assigned Duties
If a teacher or other employee needs to leave the building during the instructional day for any reason including illness, he/she must request permission to leave from his/her immediate supervisor.

2.4.5 Work Load
A. Instructional Day
Instructional days are defined in the official school calendar approved by the Board of Education as defined in WV Code 18-5-45.

2.5 Compensation Guides and Contracts – Professional

2.5.1 Contracts
All professional personnel will be contracted either on probationary or continuing contract.

The contract can be dissolved by:

A. Mutual consent of both parties
B. Written notice by the professional employee prior to July 1 of any year
C. Written notice by the Board prior to the first Monday in May of any year, for lack of need
D. Changes dictated under “Causes” as contained in the West Virginia State Code

2.5.2 Probationary Contracts
A probationary contract will be awarded for the second and third years if the probationary teacher meets the performance standards.

See West Virginia State Code §§18A-2-2 and 18A-2-8a

2.5.3 Continuing Contracts
A continuing contract will be awarded if the professional meets the

2.5.4 Compensation Guides – Deductions

Approved 10/28/04

A. All full-time employees have the option of receiving their salaries over ten or twelve months. Payment will be made on the tenth and twenty-fifth of each month.

B. As mandated by state and federal laws, the following salary deductions shall be made from all employees’ checks: state and federal income taxes, social security, and teacher retirement. In addition, the Board may authorize payroll deductions, upon request of the employee, for premiums for group insurance, tax sheltered annuities, professional dues, United Way and credit union, etc.

2.5.5 Salary Scales and Increments

Approved 10/28/04

2.5.5.1 Professional Salary Schedule – From Human Resources

2.5.5.2 Administrative Salary Scale – From Human Resources

2.5.5.3 High School Coaches, High School Assistant Coaches, Junior High School Coaches, Junior High School Assistant Coaches, Sponsors, Department Heads, Band and Choral Directors, Department Chairs, Lead Teachers, Team Leader, and Head Teachers Salary Scales – See Appendix 1

2.5.5.4 Extra-Duty Pay Scale

2.5.5.4.1 BAS – Teachers who are appointed as Session Managers will be compensated at a rate approved by the Board of Education.

2.5.5.4.2 Attendance Make-up Sessions – Teachers who are appointed as Session Managers will be compensated at a rate approved by the Board of Education.

2.5.5.4.3 Curriculum Committee – Members of the curriculum committee are to be paid commensurate for each assignment at a rate approved by the Board of Education.

2.5.5.4.4 Any other assignment that is classified as an extra duty assignment will be compensated. Compensation will be determined at the time of employment at a rate approved by the Board of Education.

2.5.5.5 Service Salary Schedule – From Human Resources

2.5.6 Professional Substitute Salaries

Approved 10/28/04

Professional substitutes will be compensated in accordance with West
Virginia Code § 18A-4-7. The pay of a substitute teacher shall not be less than eighty percent of the daily rate of the state basic salary paid to teachers provided:

1. Any substitute teacher who teaches in excess of ten consecutive instructional days in the same position shall, thereafter, not be paid less than eighty percent of the daily rate of the state advanced salary based upon teaching experience.

2. Any substitute teacher who teaches in excess of thirty days in the same position shall be paid the daily rate of the advanced salary.

2.5.6.1 Substitutes Employees

Approved 10/28/04, Revised 6/28/10

Substitutes are hired for the purpose of providing temporary human resources during short-term and long-term vacancies or temporary-fill needs. Substitute personnel are expected to demonstrate reliability by accepting job requests when called. The substitute roster is not to serve primarily as a place holder for seniority. Failure to demonstrate reliability may result in removal from the substitute roster and recommendation for non-renewal in the next school term. Conditions for removal from the substitute roster and recommendation for non-renewal may include, but are not limited to:

Causes stated in WV Code 18A-2-8 and 18A-2-8a

- Completion of an interview and attendance at an orientation session is required of ALL substitutes prior to being placed on the substitute list.

- Prior to board approval, the following MUST be on file in the human resources office:
  a. Application
  b. Official transcript (professional substitutes)/high school diploma or equivalent (service substitutes)
  c. Resume
  d. Passing score on required test/s
  e. Fingerprint card
  f. Employment Eligibility Verification – Form I-9
  g. Drug-Free workplace statement

- The following MUST be completed within one week after board approval:
  a. Chest x-ray or tuberculin skin test (PPD)
  b. Completed tax forms
  c. Signed employment contract
- Signed and completed automated calling system information and questionnaire

- Expectations/duties of substitutes
  - a. Arrive at the assignment promptly at the designated time
  - b. Go directly to the main office for a list of duties and to sign in
  - c. Follow instructions as provided at the specific location, noting any safety rules/regulations that apply to the assignment
  - d. Carry out the regular employee’s duties as closely as possible, unless otherwise instructed
  - e. Leave a written report for the regular employee giving any pertinent information concerning duties performed as a substitute
  - f. Check with the main office prior to leaving the building to sign out and drop off any keys that you have been issued

- Evaluation of substitute work

The substitute’s work shall be evaluated by the principal/designee. Any written evaluation is placed in the substitute’s personnel file and a copy is provided to the substitute. Professional substitutes shall be evaluated in accordance with West Virginia Code §18A-2-12 by the principal after serving thirty (30) or more working days. When serving less than thirty days (30), a substitute shall be evaluated through classroom teacher checklists and informal observation by the principal. Service personnel shall be evaluated by the principal/supervisor. Accumulating two documented unsatisfactory ratings by supervisors within any semester (18 weeks) or four within a twelve month period may result in removal from the substitute roster. Failure to report for duty following a job assignment without reasonable cause, canceling two assignments in a one week period, and failure to report cancellation/s to the Help Desk AND at the assigned location may result in removal from the substitute roster. Failure to contact the Human Resources Coordinator before making oneself unavailable for more than a one week period may result in removal from the substitute roster.

- Substitute Availability
It is expected that a person on the substitute list be available to substitute when called. Refusing to work assignments and/or unavailability to work fifty percent of the time called during a calendar month shall constitute removal from the substitute roster. Exceptions to this rule may be granted based upon approved medical reasons and/or extenuating circumstances with approved proper documentation.

The administration reserves the right to make decisions regarding the coverage of absent service personnel that are in the best interests of the students.

Substitutes shall be paid on the 10th and 25th of each month. The ending date for each payroll period is also the 10th and 25th; therefore, any time worked before or on the 10th shall be paid on the 25th of that month. Time worked after the 10th and before the 25th shall be paid on the 10th of the following month.

Substitutes will be held accountable to the same standards and regulations regarding conduct and performance as are regular employees.

### 2.6 Compensation Guides and Contracts – Service Personnel

#### 2.6.1 Contracts

Approved 10/28/04

All service personnel will be contracted either on probationary or continuing contract.

The contract can be dissolved by:

A. Mutual consent of both parties
B. Written notice by the service employee prior to July 1 of any year
C. Written notice by local School Board prior to the first Monday in May of any year, for lack of need
D. Changes dictated under “Causes” as contained in the West Virginia State Code

#### 2.6.2 Probationary Contracts

Approved 10/28/04

See West Virginia State Codes §§ 18A-2-5, 18A-2-8a

A probationary contract will be awarded for the second and third years if the probationary employee meets the performance standards. The following steps will be followed in awarding the contract:

A. Recommendation by the superintendent to the Board
B. Approval by the Board

#### 2.6.3 Continuing Contracts

Approved 10/28/04

A continuing contract will be awarded if the service employee meets the
performance standards and qualifies under the West Virginia State Code §18A-2-6. The following steps will be followed in awarding the contract:

A. Recommendation by the superintendent to the Board
B. Approval by the Board

2.6.4 Leave of Absence

Approved 10/28/04

Given in accordance with West Virginia Code §§ 18A-2-2a and 18A-4-10.

2.6.5 Compensation Guides

Approved 10/28/04

A. All full-time employees have the option of receiving their salaries over ten or twelve months. Payment will be made on the tenth and twenty-fifth of each month.

B. As mandated by state and federal laws, the following salary deductions shall be made from all employees’ checks: state and federal income taxes, social security, and teacher retirement. In addition, the Board may authorize payroll deductions, upon request of the employee, for premiums for group insurance, tax sheltered annuities, professional dues, United Way and credit union, etc.

2.6.6 Salary Scales and Increments

Approved 10/28/04

The service personnel pay scale can be obtained from the Department of Human Resources.

2.6.7 Compensation for Training

Approved 10/28/04

In some cases employees will receive compensation for attending training. Only those employees who accept employment and report for duty with the Jefferson County Board of Education following the training will be compensated.

2.6.8 Overtime

Approved 10/28/04, Revised 9/11/13

Overtime can only be paid with proper authorization. Administrators are to receive advance approval for overtime except circumstances which are legitimizied as emergency or urgent when it is prudent to address the need immediately and advance authorization unrealistic. Other circumstances for which there is sufficient notice or planning capability are to receive approval prior to the granting of overtime. Overtime authorization shall be obtained through one of the following: Superintendent, Assistant Superintendent, or Superintendent’s designee. Those (supervisor or employee) in violation of this guideline are subject to official reprimand for the first offense and one-day suspension of pay for each subsequent event.

2.7 Evaluations

Approved 10/28/04

In the evaluation of professional and service personnel, the Jefferson County Board of Education will comply with the School Laws of West Virginia, the regulations of the West Virginia Board of Education, and the Jefferson County Board of
Education Evaluation Policy.

2.8 Benefits

2.8.1 Personal Leave

Personal leave may be used by a full-time employee of the Board of Education for:

1. Sick Leave – Sick Leave is defined as an absence due to personal illness or personal accident.

2. Death in the Immediate Family – For purposes of this policy, immediate family shall include husband, wife, son, daughter, mother, father, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandfather, grandmother, granddaughter, grandson, or any relative living in household of employee.

3. Critical Illness in Immediate Family – Employee may use personal leave due to critical illness in the family. (Critical illness shall be interpreted to mean confinement to hospital or under doctor’s care at home.)

4. Emergency Leave – This provision is intended to include a maximum of five days per year out of the year’s allotment of personal leave. Requests for additional days under this provision may be submitted in writing to the superintendent. Emergency leave covers absences for the following reasons:

   a. Family emergency – fire, flood, accidents, etc.
   b. Illness in immediate family (not critical) requiring employee to be with family member
   c. Legal actions
   d. Doctor appointments that cannot be scheduled on other than school time
   e. Quarantine due to exposure to communicable disease and determination by appropriate health authority that presence on duty may jeopardize the health of others
   f. Funerals or critical illnesses that do not fall within the description set forth in subparagraphs 2 and 3 above

5. Leave Without Cause – Each employee, who qualifies, shall be permitted three days of such leave annually, which may be taken without regard to the cause for the absence, except that personal leave without cause may not be taken on consecutive work days unless authorized or approved by the employee’s principal or immediate supervisor, as the case may be. Leave without cause shall be cumulative to a maximum of five days. Leave without cause not used or accumulated will be automatically transferred to sick leave.

Approved 10/28/04 - Effective 2004-2005 Term

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at the end of the fiscal year. Notice of such leave day shall be given to the employee’s principal or immediate supervisor, as the case may be, at least twenty-four hours in advance, except that in the case of sudden and unexpected circumstances, such notice shall be given as soon as reasonably practicable; however, the use of such day may be denied if, at the time notice is given, either fifteen percent of the employees or three employees, whichever is greater, under the supervision of the principal or immediate supervisor, as the case may be, have previously notified the principal or immediate supervisor of their intention to use that day for such leave: Provided further, that such leave shall not be used in connection with a concerted work stoppage or strike.

**Note:** All personal leave days will be deducted from accumulated personal leave.

6. Whenever any employee claims personal leave benefits for more than five consecutive working days on account of personal illness, injury or temporary disability for any reason, including pregnancy, the employee shall submit a certificate from his or her attending physician on the prescribed form setting forth the nature of the illness, injury or disability, the date of commencement of disability to work and the date the employee was considered to be fit to return to work.

7. **Family and Medical Leave** – The Family and Medical Leave Act of 1993 requires that the Jefferson County Board of Education allow at least up to twelve weeks of unpaid leave in any twelve month period for eligible employees who must miss work because of one of the following circumstances:

a. Because of the birth of a son or daughter of the eligible employee and in order to care for such son or daughter

b. Because of the placement of a son or daughter with the eligible employee for adoption or foster care

c. In order to care for the spouse, son, daughter or parent of the eligible employee, if such relative has a serious health condition

d. Because of a “serious health condition” that makes the eligible employee unable to perform the functions of the position assigned

The Jefferson County Board of Education currently provides paid and unpaid leave of varying lengths to eligible employees, depending on the nature of the absence and individual circumstances. Because benefits under these policies are more generous than those afforded by the Family and Medical Leave Act of 1993, the policies of the Jefferson County Board of Education and West Virginia Code will remain in effect. The employee shall submit a certificate from his/her (or relative’s) attending...
physician on the prescribed form.

Credit will be given to all full-time employees for one and one-half days personal leave for each employment month or major fraction thereof.

Unused sick leave will be accumulative without limitation and shall be transferable within the state. Unused emergency leave and leave without cause is not accumulative and reverts to sick leave as unused and is accumulative as sick leave.

Employees will receive their full monthly salary for absence covered by personal leave as long as they have days to their credit to cover the absences. Employees on official leave will retain days accumulated at the beginning of the leave but will receive no credit during such leave. No personal leave benefits are payable during any leave period.

These regulations shall apply to all full-time employees of the Jefferson County Board of Education. Failure on the part of an employee to comply with these regulations shall be considered sufficient cause for voiding the claim of that employee for personal leave payment. An employee who provides false information in an effort to collect personal leave payment shall be subject to disciplinary action. All employees are to comply fully with the reporting procedures prescribed by the Finance Office of the Jefferson County Board of Education. See the Standard Operating Manual, Chapter 6, Personal Leave Forms.

2.8.1.1 Leave Donation Program

**Approved 10/11/07**

**Purpose**

The purpose of the Leave Donation Program is to provide a means for donor employees to voluntarily transfer personal leave days to a receiving employee in order to relieve such employee from a substantial loss of income due to a prolonged absence resulting from a “catastrophic medical emergency” that incapacitates the employee or an immediate family member for whom the employee will provide care. Family member shall be defined as father, mother, son, daughter, brother, sister, husband, wife, uncle, aunt, cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister or any person living in a household with an employee.

**Receiving employees**

A. All accrued personal leave must be exhausted.

B. If eligible for a leave bank, all leave available from the bank must be exhausted.

**Limitations**
A. A donor employee may donate an unlimited amount of days to a receiving employee.

B. There is no limit to the total number of personal leave days a receiving employee may receive.

C. The donor employee will designate in writing the employee selected to receive the transferred personal leave.

D. The donated days will only apply to the fiscal year in which they were donated and may not be transferred to the next fiscal year.

E. The donated leave may not be used to qualify for or add to service for any retirement system administered by the state.

F. The donated leave may not be used to extend insurance coverage.

G. Each personal leave day contributed:

1. Shall be deducted from the number of personal leave days to which the donor employee is entitled.

2. Shall not be deducted from the number of “leave-without-cause” days to which the donor is entitled if sufficient general personal leave days are available to the donor.

3. Shall be credited to the receiving employee as one full personal leave day.

4. May not be credited for more or less than a full day by calculating the value of the leave according to the hourly wage of each employee.

5. May be used only for an absence due to the purpose for which the leave was transferred. Any transferred days remaining when the catastrophic medical emergency ends revert back to the donor employee.

6. An employee may not be coerced or compelled to contribute to the leave donation program.

Application

To apply for the Leave Donation Program, the employee or his/her representative must make written application to the Benefits Coordinator on the form(s) provided by the Department of Human Resources, and it shall be accompanied by a physician’s statement describing the illness and a prognosis for a date to return to work. The employee
understands and agrees that the request for leave days will be made public knowledge to all Jefferson County Schools locations. Distinct medical situations will not be disclosed to donors. Only the names of individuals requesting days who have a qualifying catastrophic medical emergency will be released. A designated deadline date by which donations must be made will be stated on the public request.

The days in the Leave Donation Program cannot be granted retroactively.

Procedures

A. Contributions of donated days to the employee must be made on a Jefferson County Schools Leave Donation Form by the donor.

B. In cases where more than one donor agrees to donate days to the requesting employee, the donation forms will be numbered as received. Any amount received over the necessary amount of days to cover the event will be given back to the donor(s) whose donation(s) were received last.

C. Leave Donation may not be used for reasons of maternity except in extreme cases that would be considered catastrophic medical emergency.

D. Once the request for donations is approved, a letter will be distributed to all Jefferson County Schools locations asking for interested individuals who wish to donate to notify the Benefits Coordinator in writing by filling out a Leave Donation Form. The Donation Forms will be numbered in order of receipt by the Benefits Coordinator.

Eligibility Criteria

The following criteria shall be used by the Benefits Coordinator in administering the Leave Donation Program and in determining the eligibility of the requestor:

A. Adequate medical evidence of serious illness of the employee or immediate family member

B. Prior utilization of all eligible sick leave and/or sick leave bank time.

Appendix

All requests pertaining to the use of the Leave Donation Program must be on forms provided by the Department of Human Resources. These forms are available in all schools and/or the Department of Human Resources.
Absences (Leave) Without Pay

Approved 9/8/05, Revised 6/10/13

A. Absence without pay may be necessary in emergency or extraordinary situations. Absence (Leave) Without Pay is not a regular benefit. It is merely a leave provision solely designed to cover unusual emergency situations that cannot be addressed by other forms of leave. The Board will allow absence without pay subject to the following restrictions:

Emergency or extraordinary situations typically do not occur annually, therefore; leave without pay will not be approved for consecutive years.

1. Employee must exhaust all personal leave as described in Jefferson County Board of Education Policy, Chapter 6, Section 2.8, Benefits, including vacation when applicable.

2. Such leave, except when used for personal illness, immediate family illness, immediate family death, or religious observance, will not be granted during the first twenty instructional days and last twenty instructional days for students, during any work day for certified/teaching staff, during work peak hours for classified/teaching staff, or to extend any holiday period.

3. One to five days cumulative in a fiscal year, as authorized by the principal or immediate supervisor. The employee must notify his/her principal or immediate supervisor at least 24 hours in advance or as soon as practicable in cases of emergency.

4. Six to ten days cumulative in a fiscal year, as authorized by the Superintendent or designee for documented short-term personal or immediate family illness, death in the immediate family, or other documented emergencies (e.g. house fire, victim of a crime).

- For the purpose of this policy, immediate family includes: husband, wife, domestic partner, children including stepchildren and foster children, mother, father, mother in-law, and father in-law.

- Upon the employee’s return, the Superintendent, his/her designee, principal, or immediate supervisor reserves the right to request written documentation verifying the employee’s reason for absence without pay.

- A dated and signed doctor’s note is required immediately upon the employees return to work for any absence without pay granted for personal or family illness.
Any employee without pay in excess of approved days or who has not followed the approved procedures may be subject to disciplinary action including termination.

**Board Approved Personal Leave of Absence**

1. Leaves of Absence for up to one calendar year, without pay, may be granted to regular employees for the following reasons: personal illness within the immediate family, continuation of education in a field related to education or the employee’s current position within the school system; jury duty; court appearance, but not as a defendant in a criminal proceeding; service as a member of the West Virginia Legislature; service as president of an employee service organization; maternity leave; or other verifiable unforeseen emergencies (e.g. house fire, victim of a crime).

2. For the purpose of this policy, immediate family includes: husband, wife, domestic partner, children including stepchildren and foster children, mother, father, mother in-law, and father in-law.

3. An employee taking a leave of absence for personal illness within the immediate family must submit written documentation verifying that time off work is justified. This verification must be submitted to the Human Resources Department prior to submitting the leave request to the Board for consideration.

4. An employee taking leave of absence for jury duty or court appearance must submit official documentation showing dates and times of scheduled jury duty or scheduled court appearance.

5. An employee taking leave of absence for the purpose of continuing education must, prior to returning to his/her position, provide a transcript or other documentation from an accredited institution of higher education reflecting full-time status during the period covered by the leave.

6. Employees must notify the Human Resources Department of his/her intent to return to work at the conclusion of his/her Board approved leave of absence one (1) month prior to the end of the year that he/she is on leave of absence.

7. Leave under this policy will not be granted for more than one calendar year at a time, may not be intermittent, except in the case of jury duty or qualifying court appearance, and will not extend beyond two calendar years.

8. Only those employees with personal illnesses, serving as a member of the West Virginia Legislature, or serving as a president of an employee service organization may request from the Board a second consecutive year of leave. Proper documentation verifying the need for a second consecutive year of leave will need to be provided along with the written request.
9. Employees returning from an approved leave of absence that extended for a period of one calendar year or less shall be reemployed by the County Board with the right to be restored to the same assignment of position or duties held prior to an approved leave of absence. For employees returning from an approved leave extending beyond one year, reemployment to the same position is not guaranteed. Such employee shall retain all seniority rights.

Any specific questions or requests for leaves of absence should be directed to the Human Resources Department.

Approved 9/14/09

2.8.2.1 Benefits Coverage during a Leave of Absence

1. Medical Leave (Non-Workers’ Compensation)

An employee who is on a medical leave of absence due to an injury or illness that is not covered by Worker’s Compensation is eligible to continue his/her current PEIA coverage (health, basic and optional life insurance) as well as dental and vision coverage through Jefferson County Schools subject to the following:

- The medical leave must be approved by the employer;
- The employee must continue to pay his/her share of the premium cost. *(Payment for the current month’s premium is due by the 1st of each month.)* If payment is not received within 30 days following the due date, coverage will be cancelled, and all claims incurred for the month which was not paid for will be the employee’s responsibility.
- The employee will be allowed to pay for his/her share of the coverage for a period of one year. After the first year of medical leave, the employee will be required to pay the full cost of coverage (both the employee and employer premium amounts). If the employee fails to pay the full premium, benefit coverage will be terminated; and
- Unless the employee has been approved by the employer’s long-term disability provider, the employee must submit to the employer each month a physician’s statement certifying that the employee is unable to return to work. The statements will be retained in the employee’s benefits/medical file.

2. Medical Leave (Worker’s Compensation)

An employee who is on a leave of absence due to a work-related injury and is receiving temporary total disability benefits from Workers’ Compensation is entitled to
continue PEIA coverage and dental and vision coverage through Jefferson County Schools until he/she returns to work. The employee must continue to pay his/her portion of the premium cost for as long as the employee receives temporary total disability benefits. *(Payment for the current month’s premium is due by the 1st of each month.)* If payment is not received within 30 days following the due date, coverage will be cancelled, and all claims incurred for the month which was not paid for will be the employee’s responsibility.

3. Personal Leave

An employee may continue insurance coverage while on a personal leave of absence approved by the employer. The employee must continue to pay his/her portion of the premium cost during their approved personal leave of absence. *(Payment for the current month’s premium is due by the 1st of each month.)* If payment is not received within 30 days following the due date, coverage will be cancelled, and all claims incurred for the month which was not paid for will be the employee’s responsibility.

Any teacher or school service employee who had a lapse in coverage and who is returning from an approved leave of absence of one year or less shall be restored to the same benefits which he or she had at the time of the approved leave of absence.

4. Family Leave (FMLA)

An employee may continue insurance coverage during an approved family leave. The employee must continue to pay his/her portion of the premium cost for as long as the employee remains on FMLA. *(Payment for the current month’s premium is due by the 1st of each month.)* If payment is not received within 30 days following the due date, coverage will be cancelled, and all claims incurred for the month which was not paid for will be the employee’s responsibility.

5. Military Leave

For an employee on a paid-military leave, health and life insurance benefits will generally continue without interruption, as long as the employee is on the payroll.

An employee who is on an approved military leave of absence without pay, due to an active call of duty from the President, is entitled to continue insurance benefits coverage for as long as premium payments are made. The employee is responsible for paying their employee share of the premium costs for each month during the
military leave of absence, and the employer will continue to pay its share of the premium. (Payment for the current month’s premium is due by the 1st of each month.) Upon return from a military leave, if there has been a lapse in coverage, the employee may generally reinstate the same insurance benefits without penalty. The employee will be expected to pay for employee premiums for months which were not paid.

2.8.3 Emergency Substitute Coverage  

To compensate employees when there are no substitutes available, the following steps will be taken:

- Eligibility of staff to cover should be rotated so that no one employee gets every opportunity.
- At the secondary level where the days are divided into “periods,” coverage will be compensated at the rate of 1/7 of their daily rate per hour of coverage.
- Employees who cover will complete the regular supplemental pay form in schools, secure needed signatures, and submit to Central Office. This applies to those who sacrifice conference/planning time to cover a class.
- At the elementary level, classes should be keep intact where possible. Should students be split for coverage, the number must NEVER exceed the state caps excluding over count. (NOTE: If split, students should be assigned to closest age-appropriate classroom.) Special teachers should be included where possible.
- Compensation will be at the rate of $14 per half hour of coverage.
- Should students be split, the rate is 50 cents per child per half hour.
- All compensation rates have been based on the state average salary and are comparable between all grade levels.

2.8.4 Travel Expenses  

The rate of reimbursement for travel by employees of the Jefferson County Board of Education in privately owned automobiles while pursuing school business shall be that of the state rate as of July 1, unless otherwise approved by the Board of Education after that date. As determined by State Code §18A-2-14, the rate of reimbursement shall be at least the lesser of, and not more than the greater of, the federal standard mileage rate and the rate authorized by the travel management rule of the West Virginia Department of Administration state rate. All mileage should be rounded to the nearest mile. The out-of-county/out-of-state meal expenses will be reimbursed up to fifty dollars ($50.00) per day.

Reference: WV Code § 18A-2-14 and WV Department of Administration
2.8.4.1 Travel Arrangements and Expenses

Approved 10/28/04

School employees and members of the Board are encouraged to participate in appropriate meetings and conferences. The Board encourages participation and allocates funds for such purposes.

2.8.5 Professional Organizations

Approved 10/28/04

The Jefferson County Board of Education recognizes the benefits that professionals gain from supporting and belonging to professional organizations.

2.8.6 Service Personnel Organizations

Approved 10/28/04

The Jefferson County Board of Education recognizes the benefits of service personnel organizations and encourages employees to become active. Proper communications through the organizations can be of value in the overall maintenance and improvement of the entire system.

2.8.7 Vacation Policy – 261 Day Employees

Approved 10/28/04, Revised 6/10/13 Effective 6/11/13

The following vacation schedule is approved for all 261 day employees to be effective July 1, 2013. Only years of verified service in an accredited private school or a public school system will be counted as experience. To get a year of service in West Virginia, one must work a minimum of 133 days within a fiscal year which begins July 1 and ends June 30.

0-1 year of experience…………………………… 5 days
2-3 years of experience…………………………..10 days
4-6 years of experience…………………………..15 days
7-11 years of experience…………………………18 days
12 years experience and over………………….. 20 days

An employee can accumulate unused vacation days, but may not accumulate more than thirty (30) days. Other days not used shall be transferred to an accumulated annual leave account to be used for retirement purposes allowed by the designated retirement plan. The number of vacation days earned for any new employee or any current employee changing to a 261 day term after July 1 will be pro-rated to the nearest one-half day dividing the remaining full months from date of employment to June 30 by 12 and multiplying this fraction by the number of days entitled under the above scale. Employees shall take vacation at the time(s) mutually agreed upon by the employee and supervisor.
2.8.8 Sick Bank Policies

2.8.8.1 Professional Sick Bank Policy

Approved 10/28/04

I. Purpose

The purpose of the Sick Leave Bank is to relieve Jefferson County school employees from undue financial burdens due to absence from work on a long-term basis due to personal illness, injury, or incapacitation sufficiently severe that it would make their presence in the position inadvisable.

II. Rules

A. The leave bank may be used only by the individual contributor for his or her personal illness.

B. Only sick leave may be contributed to the leave bank.

C. The Sick Leave Bank may not be used by unit members disabled by an injury covered by Workers’ Compensation.

Revised 5/10/10, Effective 7/1/10

D. Employees may make contributions up to thirty calendar days after board approval as a regular employee. Open Enrollment will be held between September 1 and January 1 of each year for existing, regular employees.

Revised 5/10/10, Effective 7/1/10

E. Only employees of the Jefferson County Public Schools shall be eligible to participate in the bank.

Revised 5/10/10, Effective 7/1/10

F. No Sick Leave Bank days will be allotted until an employee has been without pay for three days. Contributors must use all sick leave and vacation days before applying for leave from the bank.

G. A contributor will lose the right to utilize the benefits of the Sick Leave Bank by:

1. Termination of employment.

Revised 5/10/10, Effective 7/1/10

2. Cancellation of participation, which must be submitted to the Benefit Coordinator in writing by unit member and will be effective per signature date.

Revised 5/10/10, Effective 7/1/10

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3. Refusal to continue required contributions.

H. All donations to the Sick Leave Bank will become permanent.

I. A waiting period of three months will be required before a new member can use the Sick Leave Bank.

**Revised 5/10/10, Effective 7/1/10**

J. The Sick Leave Bank will maintain a minimum of 500 days. When the bank drops below 500 days, the sick leave bank committee will determine if a required emergency contribution is necessary. Members will be notified in writing that contributions will be required at the annual rate.

**Revised 5/10/10, Effective 7/1/10**

K. New members will contribute at the contribution rate when they join, regardless of the number of days currently held in the bank.

III. Application

**Revised 5/10/10, Effective 7/1/10**

To take leave out of the Sick Leave Bank, the employee or his/her representative must make written application to the Benefits Coordinator on forms provided by the Benefits Coordinator, and it shall be accompanied by a physician’s statement describing the illness and a prognosis for a date to return to work.

The days in the Sick Leave Bank cannot be granted retroactively.

IV. Procedures

**Revised 5/10/10, Effective 7/1/10**

A. New member contributions to the bank must be made on a Jefferson County Schools Sick Leave Bank Enrollment Form.

B. The Sick Leave Bank Approval Committee will approve all requests before they are forwarded to the division of payroll.

C. Should the Sick Leave Bank Approval Committee’s vote not be unanimous in granting the leave requested by the applicant, the committee shall require a medical review by a physician of the committee’s choice at the applicant’s expense.

**Revised 5/10/10, Effective 7/1/10**

D. Sick leave days approved by the committee and
granted from the bank shall be made in units of no more than thirty consecutive working days for the individual applicant.

E. Applicants may submit requests for extension of such leave grants as their prior grants expire. Such applications shall be made on the regular request form.

F. Leave from the bank may not be used for reasons of maternity except in extreme cases: i.e., (a) surgical operations for extrauterine pregnancy or for other complications requiring intra-abdominal surgery after termination of pregnancy; (b) pernicious vomiting of pregnancy (hyperemesis gravidarum); or (c) toxemia with convulsions (eclampsia of pregnancy).

Revised 5/10/10, Effective 7/1/10

G. Sick leave days withdrawn from the fund do not have to be repaid by the individual using them.

V. Sick Leave Bank Approval Committee

A. The approval committee will consist of four employees of the Jefferson County Board of Education. These individuals will be selected by the group they represent. Elections will be held in the spring of each odd numbered year with the new term beginning the following fall.

Revised 5/10/10, Effective 7/1/10

1. Administrator in charge of benefits (ex officio member)

2. Two teacher representatives (elected for a two-year term)

3. One principal (elected for a two-year term)

B. Selection of Sick Leave Bank Approval Committee

Revised 5/10/10, Effective 7/1/10

1. A letter will be distributed to the members asking for interested individuals who wish to serve on the committee to notify the Benefits Coordinator in writing. Those names will then be placed on a ballot for a vote by the

VI. Eligibility Criteria

The following criteria shall be used by the committee in
administering the bank and in determining the eligibility and the amount of leave:

A. Adequate medical evidence of serious illness
B. Prior utilization of all eligible sick leave and vacation time

VII. Contribution Rate

Revised 5/10/10, Effective 7/1/10

The rate of contribution for members shall be based on the following schedule:

2 to 60 days of accumulated sick leave – 2 days
61 to 120 days of accumulated sick leave – 1 1/2 days
121 to 180 days of accumulated sick leave – 1 day
181 days or more of accumulated sick leave – 1/2 day

Members holding a personal leave balance of less than two days will not be eligible to continue membership in the bank but may rejoin during the next Open Enrollment.

VIII. Appendix

Revised 5/10/10, Effective 7/1/10

All requests pertaining to the use of the sick leave must be on forms provided by the Benefits Coordinator. These forms are available in all schools or in the Standard Operating Procedure (SOP) Manual.

Legal Authority - § 18A-4-10

2.8.8.2 Service Sick Bank Policy

Approved 10/28/04

I. Purpose

The purpose of the Sick Leave Bank is to relieve the Jefferson County school employees from undue financial burdens due to absence from work on a long-term basis due to personal illness, injury, or incapacitation sufficiently severe that it would make their presence in the position inadvisable.

II. Rules

A. The leave bank may be used only by the individual contributor for his or her personal illness.

B. Only sick leave may be contributed to the leave bank.

C. The Sick Leave Bank may not be used by unit members disabled by an injury covered by Workers’ Compensation.
D. Employees may make contributions up to thirty calendar days after board approval as a regular employee. Open Enrollment will be held between September 1 and January 1 of each year for existing, regular employees.

E. Only regular employees of the Jefferson County Public Schools shall be eligible to participate in the bank.

F. No Sick Leave Bank days will be allotted until an employee has been without pay for three days. Contributors must use all sick leave and vacation days before applying for leave from the bank.

G. A contributor will lose the right to utilize the benefits of the Sick Leave Bank by:

1. Termination of employment.

2. Cancellation of participation, which must be submitted to the Benefit Coordinator in writing by unit member and will be effective per signature date.

3. Refusal to continue required contributions.

H. All donations to the Sick Leave Bank will become permanent.

I. A waiting period of three months will be required before a new member can use the Sick Leave Bank.

J. The Sick Leave Bank will maintain a minimum of 250 days. When the bank drops below 250 days, the sick leave bank committee will determine if a required emergency contribution is necessary. Members will be notified in writing that contributions will be required at the annual rate.

K. New members will contribute at the contribution rate when they join, regardless of the number of days currently held in the bank.

III. Application
To take leave out of the Sick Leave Bank, the employee or his/her representative must make written application to the Benefits Coordinator on appropriate forms provided by the Benefits Coordinator, and it shall be accompanied by a physician’s statement describing the illness and a prognosis for a date to return to work.

The days in the Sick Leave Bank cannot be granted retroactively.

IV. Procedures

Revised 5/10/10, Effective 7/1/10

A. New member contributions to the bank must be made on a Jefferson County Schools Sick Leave Bank Enrollment Form.

B. The Sick Leave Bank Approval Committee will approve all requests before they are forwarded to the division of payroll.

C. Should the Sick Leave Bank Approval Committee’s vote not be unanimous in granting the leave requested by the applicant, the committee shall require a medical review by a physician of the committee’s choice at the applicant’s expense.

Revised 5/10/10, Effective 7/1/10

D. Sick leave days approved by the committee and granted from the bank shall be made in units of no more than thirty consecutive working days for the individual applicant.

E. Applicants may submit requests for extension of such leave grants as their prior grants expire. Such applications shall be made on the regular request form.

F. Leave from the bank may not be used for reasons of maternity except in extreme cases: i.e., (a) surgical operations for extraterine pregnancy or for other complications requiring intra-abdominal surgery after termination of pregnancy; (b) pernicious vomiting of pregnancy (hyperemesis gravidarum); or (c) toxemia with convulsions (eclampsia of pregnancy).

Revised 5/10/10, Effective 7/1/10

G. Sick leave days withdrawn from the fund do not have to be repaid by the individual using them.

V. Sick Leave Bank Approval Committee

A. The approval committee will consist of four
employees of the Jefferson County Board of Education. These individuals will be selected by the group they represent. Elections will be held in the spring of each odd numbered year with the new term beginning the following fall.

Revised 5/10/10, Effective 7/1/10
1. Administrator in charge of benefits (exofficio member)

Revised 5/10/10, Effective 7/1/10
2. Three service personnel each from a different classification

B. Selection of Sick Leave Bank Approval Committee

Revised 5/10/10, Effective 7/1/10
1. A letter will be distributed to the members asking for interested individuals who wish to serve on the committee to notify the Benefits Coordinator in writing. Those names will then be placed on a ballot for a vote by the membership.

VI. Eligibility Criteria

The following criteria shall be used by the committee in administering the bank and in determining the eligibility and the amount of leave:

A. Adequate medical evidence of serious illness
   Prior utilization of all eligible sick leave and vacation time

VII. Contribution Rate

Revised 5/10/10, Effective 7/1/10
The rate of contribution for members shall be based on the following schedule:

2 to 60 days of accumulated sick leave – 2 days
61 to 120 days of accumulated sick leave – 1 ½ days
121 to 180 days of accumulated sick leave – 1 day
181 days or more of accumulated sick leave – ½ day

Members holding a personal leave balance of less than two days will not be eligible to continue membership in the bank but may rejoin during the next Open Enrollment.

VIII. Appendix

Revised 5/10/10, Effective 7/1/10
All requests pertaining to the use of the sick leave must
be on forms provided by the Benefits Coordinator. These forms are available in all schools or in the Standard Operating Procedure (SOP) Manual.

Legal Authority - § 18A-4-10

2.8.9 Disability Plan

Approved 10/28/04

A disability plan is provided by the Jefferson County Board of Education which provides benefits beyond that which the State of West Virginia requires.

2.8.10 Workers’ Compensation

Approved 8/25/05

The Jefferson County Board of Education participates in the West Virginia Workers’ Compensation Fund for the protection of employees.

Any employee who sustains an injury, or his/her representative, shall immediately or as soon thereafter practicable, give to the employer written notice of the injury’s occurrence, with like notice or a copy to the workers’ compensation division stating the name and address of the employer, the name and address of the employee, the time, place, nature and cause of the injury, and whether temporary total disability has resulted.

The employer is responsible to report every injury sustained by any employee in its employ. Such report shall be on the forms prescribed by the commissioner and shall be made within five days of the employer’s receipt of the employee’s notice of injury, as required above, or within five days after the employer has been notified by the commissioner that a claim for benefits has been filed on account of such injury, whichever is sooner.

The employer shall have the right to file a supplemental report at a later date.

Employees, who have received personal injuries in the course of and resulting from their covered employment, shall receive workers’ compensation benefits pursuant to the laws of the State of West Virginia.

2.8.11 Excess Levy Employee Benefit

Approved 4/03/03, Revised 5/22/07, Clarification 10/10

The excess levy renewed in November 2007 allows for the next four fiscal years a benefit paid to each contracted employee, a one-time, separate payment annually. These payment amounts are based on the years of experience credited to each employee according to the following scale:

2.8.11.1 Professional Employees

<table>
<thead>
<tr>
<th>Years of Experience</th>
<th>Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3</td>
<td>$ 500</td>
</tr>
<tr>
<td>4-9</td>
<td>800</td>
</tr>
<tr>
<td>10-14</td>
<td>1,150</td>
</tr>
<tr>
<td>15-19</td>
<td>1,500</td>
</tr>
</tbody>
</table>
2.8.11.2 Service Personnel

<table>
<thead>
<tr>
<th>Years of Experience</th>
<th>Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-3</td>
<td>$250</td>
</tr>
<tr>
<td>4-9</td>
<td>420</td>
</tr>
<tr>
<td>10-14</td>
<td>600</td>
</tr>
<tr>
<td>15-19</td>
<td>780</td>
</tr>
<tr>
<td>20+</td>
<td>1,100</td>
</tr>
</tbody>
</table>

If years of Jefferson County experience equal 25 or more
Additional $2,000

Revised 08-09 for School Year, Clarification 10/10

This benefit will be paid to all employees that have been hired by the board as of the first board meeting in November and are on active status (receiving a paycheck on the first pay in November).

2.9 Job Descriptions

Approved 10/28/04

Job descriptions are available in the Department of Human Resources and attached to each job posting.

2.10 Staff Development

2.10.1 Professional

Approved 10/28/04

The Board in cooperation with the Staff Development Council will provide programs that will comply with West Virginia Board Policy 5500. It is the intention of these programs not only to comply with state codes and policies but also to enhance the educational programs delivered to the students.

2.10.2 Service Personnel

Approved 10/28/04

The Board will provide a staff development program for all service personnel employees that will allow them to upgrade their skills and to deliver the services most appropriate for the students of Jefferson County in cooperation with Staff Development Council as listed in § 18A-3-9.

2.11 Personnel Actions

2.11.1 Transfer

Approved 10/28/04

A. Voluntary

Any employee who wishes to transfer to a vacant position shall notify the Department of Human Resources in writing of his/her request. The request must be made during the period this position is posted. (§18A-4-7a)

B. By Board Action

“Excellence in Teaching and Learning”
Fluctuating enrollments, changing programs, etc., sometimes will necessitate the transfer of personnel. When this occurs, employees will be transferred in accordance with State Code §18A-2-7.

2.11.2 Resignation

Approved 10/28/04

Those employees not planning to continue their employment with the Jefferson County Board of Education after the completion of the current school year are requested to make their intentions known as early as possible in writing so that qualified replacements may be secured.

An employee under contract who wishes to resign may do so only with the mutual consent of the Jefferson County Board of Education.

2.11.3 Suspension

Approved 10/28/04

Refer to State Codes: §§ 18A-2-7 and 18A-2-8

2.11.4 Termination

Approved 10/28/04

Refer to State Codes: §§ 18A-2-7 and 18A-2-8

2.11.5 Retirement

Approved 10/28/04

It is mandatory that all employees become members of the State Teachers Retirement System at the time of their employment. Details of contributions, benefits, etc., may be obtained from the Finance Office at the Board of Education's administrative offices or by contacting the State Teachers Retirement Board, Charleston, West Virginia. (§18-7a-13)

2.11.6 Lateral Professional Positions - Reduction in Force

Approved 10/28/04

In compliance with State Code §18A-4-7a, this policy is to establish and to define lateral professional positions. These definitions are solely for the purpose of identifying appropriate positions in the reduction-in-force process. This process acknowledges that lateral positions are those positions with like employment terms, salary supplements or indices (while not necessarily equal salaries), AND job responsibilities. It must further be noted that to be eligible for a lateral position or a position at a lower level, the employee must be properly certified. Along with certification, the other factor to be considered is greater seniority.

1. Superintendent: Superintendent position is deemed to be lateral only to itself.

2. Associate Superintendent of Curriculum and Instruction: Associate Superintendent position is deemed to be lateral only to itself.

3. Treasurer, Chief School Business Official: Treasurer, Chief School Business Official position is deemed to be lateral only to...
4 Principals, Directors, and Coordinators: Principals, Directors, and Coordinators shall be deemed to be lateral to each other or any other lower lateral positions as outlined on the accompanying chart for which she/he holds appropriate certification.

5 Assistant Principals and Specialists: Assistant Principals and Specialists shall be deemed lateral to each other or any lower lateral positions as outlined on the accompanying chart for which she/he holds appropriate certification.

6 Classroom Teachers: The employment of a classroom teacher in a classroom teacher position shall be deemed lateral. (Counselors, librarians, school psychologists, speech therapists, hearing-impaired specialists, visually impaired specialists and social workers shall be classified as classroom teachers with threshold qualifications being in effect).

Lateral Levels

The following chart outlines the lateral levels to be considered during Reduction in Force. Any position level moved to a lower numbered line would be a promotion.

1. Superintendent
2. Associate Superintendent of Curriculum and Instruction
3. Treasurer, Chief School Business Official
4. Principals, Directors, and Coordinators
5. Assistant Principals and Specialists
6. Classroom Teachers

2.12 Employee Grievance

Approved 10/28/04, Code Update 9/10

Please refer to West Virginia State Code §§ 6C-2-1 through 6C-2-7.

2.13 Citizen Grievance

Approved 10/28/04

The Jefferson County Board of Education shall comply fully with the Appeals Procedure for Citizens (State Board Policy 7211) when a citizen formally files a grievance, attempting to seek a solution to his/her problem. The local schools and
administrative offices will provide copies of appeal forms to any individual seeking to file a grievance.

2.14 Volunteers - Individuals Performing Services

The Board reserves the right to request a criminal background check on any person compensated or uncompensated who enters upon school property, or who may be approved as chaperones.

2.15 Racial, Sexual, Religious/Ethnic Harassment and Violence Policy

I. General Statement of Policy


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

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

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

II. Definitions

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

1. Submission to the conduct or communication is made a term or condition either explicitly or implicitly of obtaining or retaining employment, or of obtaining an education; or

2. Submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment, or education; or

3. That conduct or communication has a purpose or effect of substantially or unreasonably interfering with an individual’s employment or education; or

4. Creating an intimidating, hostile or offensive educational environment.
Sexual Harassment may include, but is not limited to:
1. Unwelcome verbal or written harassment of a sexual nature or abuse;
2. Unwelcome pressure for sexual activity;
3. Unwelcome sexually motivated or inappropriate patting, pinching, or physical contact;
4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
5. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
6. Unwelcome behavior, verbal or written words or symbols, directed at an individual because of gender;
7. Unwelcome sexual flirtations, advances, or propositions from a member of the same or opposite sex;
8. Verbal abuse of a sexual nature, without regard to whether the verbal abuse specifically refers to sexual characteristics at whom the verbal abuse is directed;
9. Verbal or written comments about an individual's body;
10. Sexually degrading word(s) or actions used to intimidate, describe an individual or to refer to some aspect of the individual's behavior, appearance, attitude, or conduct;
11. The display, use or dissemination of sexually suggestive gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials and materials displayed by electronic means, sex based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.; or
12. Non-sexual conduct, including words or actions, directed toward a person because of his/her gender that tends to ridicule, criticize, discriminate, or otherwise makes it more difficult for that person to perform his/her job and/or achieve an education.

It is the responsibility of all students and employees to promote and to maintain an environment free of all types of sexual harassment. Any sexual harassment, as defined, when perpetrated on any student, volunteer, third party, or employee by any student, volunteer, third party, or employee will be treated as sexual harassment under this policy.
B. Racial Harassment - Racial harassment consists of physical, verbal, or written conduct relating to an individual's race when the conduct:

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

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. Otherwise adversely affects an individual's employment or academic opportunities.

4. Racial harassment includes racially degrading word(s) or actions used to intimidate, describe an individual, or refer to some aspect of the individual's behavior, appearance, attitude, or conduct:

5. The display, use, or dissemination of racially motivated gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials displayed by electronic means; and

6. Race-based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.

7. Unwelcome behavior, verbal or written words or symbols, directed at an individual because of race.

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

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

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

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

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;

3. Otherwise adversely affects an individual's employment or academic opportunities;
4. Religious/ethnic degrading word(s) or actions used to intimidate, describe an individual or refer to some aspect of the individual's behavior, appearance, attitude or conduct;

5. The display, use or dissemination of degrading religious/ethnic suggestive gestures, objects, pictures, and/or jokes by any means including, but not limited to, printed materials and materials displayed by electronic means; and

6. Religious/ethnic-based labeling or stereotyping with respect to mental, physical or other abilities, talents, occupational or life goals, etc.

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

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

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

Sexual violence may include, but is not limited to:

1. Touching, patting, grabbing or pinching another person's intimate parts whether that person is of the same sex or the opposite sex;

2. Coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;

3. Coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another;

4. Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse on another; or

5. Threatening or forcing exposure of intimate apparel or body parts by removal of clothing.

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

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

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

III. Reporting Procedures

Approved 10/28/04

A. In Each School Building. The building principal is the person responsible for receiving oral or written reports of racial, sexual, or religious/ethnic harassment or violence at the building level. Upon receipt of a report of student conduct, the principal, head teacher in the absence of the principal, or designated assistant principal, must notify the Board's Human Rights Officer promptly, and shall commence investigation of the complaint. Upon completing the investigation, and in most cases, no later than ten working days of receiving the complaint, a written report will be forwarded to the human rights officer and to the superintendent.

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

Revised 10/14/13

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

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

Revised 10/14/13

B. District-Wide. The Board hereby designates its Title IX Coordinator as the Board's Human Rights Officer to receive reports or complaints of racial, sexual or religious/ethnic harassment or violence from any individual, employee or victim of racial, sexual or religious/ethnic harassment or violence and also from the building principals as outlined above. If the complaint involves the Human Rights Officer or the Human Rights Officer is not otherwise
impartial, the complaint or report shall be filed directly with the superintendent, who shall then be responsible for the investigation and recommendation described in paragraph IV of this policy. The name of the Human Rights Officer, including a mailing address and telephone number, shall be conspicuously posted in the office of each school building and in other buildings to which employees of the Board are assigned to work.

C. Submission of a complaint or report of racial, sexual or religious/ethnic harassment or violence will not affect the future employment, grades, or work assignments of the person who submits the complaint or report.

D. Use of formal reporting forms is not mandatory; however, when possible, individuals should use forms provided to document a complaint.

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

Revised 10/14/13

F. Complaints shall be filed within thirty calendar days after any incident alleged to constitute a violation of this policy or they shall be deemed untimely, unless special circumstances exist which justify a later filing.

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

IV. Investigation and Recommendation

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

Revised 10/14/13

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

1. Provide the opportunity for participation by the parent/guardian of a minor student at any conference or meeting with a student to present information.

2. Provide an opportunity for the complainant and the accused to present witnesses and other evidence.

3. Take all necessary interim preventative measures reasonably
calculated to prevent any other violations prior to the completion of the complaint procedure.

4. Comply with the confidentiality requirements of this policy.

5. Complete individual interviews with the complainant, the accused, and others identified as having knowledge relevant to the incident.

6. Evaluate any other information and materials relevant to the investigation, and consider all information presented by the complainant and the accused.

7. Make every attempt to conduct and complete the investigation as thoroughly and speedily as possible.

8. Maintain all documentation of a complaint investigation and related corrective action in a secure location.

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

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

V. Confidentiality

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

VI. Results of the Investigation

The result of the investigation of each complaint filed under these procedures will be reported to the complainant, his/her legal guardian, the accused and his/her legal guardian. The result of the investigation shall be reported to the complainant, his/her legal guardian, the accused and his/her legal guardian within fifteen working days of the commencement of the
investigation. Notwithstanding anything to the contrary in this policy, while a complainant has the right to learn the outcome of his/her complaint (i.e., to learn whether the complaint was investigated and whether discrimination/harassment was found), the district shall not disclose to a complainant any sanction or discipline recommended or imposed upon a student or employee to the extent such disclosure is prohibited by the Family Educational Rights and Privacy Act (FERPA) or other applicable laws, regulations, rules, constitutional requirements, or orders. (An exception may apply, for example, in the case of a sanction that directly relates to the victim, such as an order that a violator/perpetrator/harasser stay away from the victim.)

VII. Appeal

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

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

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

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

VIII. Discipline and Other Actions

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

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

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

A. Upon receipt of a recommendation that the complaint is valid, the Board will take such action as appropriate based on the results of the investigation.

B. The Board shall also initiate such other action as is appropriate to ease tensions and affirm the values of respect and understanding in accordance with this policy.

C. The superintendent shall immediately file a report with the West Virginia Department of Education of all reports of harassment or violence when an investigation shows that harassment or violence did occur and all actions taken in response to the incident.

D. Faculty and Staff Discipline

If a faculty or staff person is accused of a violation of this policy, the disciplinary procedures found in the regulations regarding disciplinary action shall apply.

E. Discipline of Non-School Related Personnel

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

IX. **Reprisal**

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

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

Revised 10/14/13

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

X. Student-Employee Relationships Prohibited

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

XI. Non-Harassment

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

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

XII. Right to Alternative Complaint Procedures

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

XIII. Sexual Harassment as Abuse

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

XIV. Dissemination of the Policy

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

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

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

“Excellence in Teaching and Learning”
The Board policy shall be reviewed at least bi-annually to assure compliance with state and federal law and with State Board of Education policy.

XV. Implementation and Education

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

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

2.16 Fights (Intervention)

A. Authority to intervene; degree of force

1. A principal, teacher, or other school personnel including contracted security personnel in any public school may intervene in a fight or physical struggle that takes place in his/her presence in a school building or on school grounds, whether the fight is among students or other individuals.

2. The degree and force of the intervention may be as reasonably necessary to restore order and to protect the safety of the combatants and surrounding individuals.

3. Any person who intervenes in a fight shall report their actions to the school principal immediately following the incident.

4. The school principal shall report, within twenty-four hours following the incident, the same to the superintendent.

B. Compensation for injury and time lost from duties. A principal, teacher, or other school personnel including contracted security personnel who is hurt while intervening in a fight under this section:

1. Shall be compensated by the county board through Workers' Compensation for any necessary medical expenses that result directly from the intervention; and

2. May not lose any compensation for time lost from his school duties that resulted directly from the intervention, but his compensation may be reduced by any payments made under the Workmen's Compensation Law.

C. Legal counsel; indemnity. In any suit, claim, or criminal charge brought by a parent or other claimant of one of the combatants against the principal, teacher, or other school personnel including contracted security personnel
because of the intervention, the county board:

1. Shall provide legal counsel for the principal, teacher or other school personnel including contracted security personnel, or may provide reimbursement for the reasonable expenses of the legal defense of any criminal charge if the county board considers it appropriate; and

2. Shall save the principal, teacher, or other school personnel including contracted security personnel harmless from any award or degree against him.

3.0 Cultural Diversity

Jefferson County Schools is committed to the principles and practices of education that recognize cultural diversity as an essential ingredient to the success of a democratic society and to the fulfillment of the school system's mission to provide a "Quality Education for Every Student." This committee is directed toward the elimination of racism and the removal of cultural barriers wherever they may exist in the school system, including intentional or unintentional discriminatory practices in classrooms, schools, offices, and other work places.

The goal of Jefferson County schools is to prepare students to live and work in a global, multicultural society by creating and supporting a teaching-learning environment where all employees and students understand and value commonalities and differences within and across various cultures in order to produce a harmonious community of lifelong learners. Contributions to this educational process will require staff, students, parents and community involvement as well as interagency collaboration.

Jefferson County schools are committed to providing opportunities for all staff to learn about various cultures and to improve their skills in cross-cultural communication. The school system shall continue to promote a diverse work force by increasing personnel recruitment efforts and by fulfilling the commitment to maintain a school system free of prejudice and illegal discrimination in all aspects of employment.

This policy and all activities taken to implement this policy shall be subject to an annual review in the form of a report submitted to the Board by the superintendent.
APPENDIX 1

Stipend Criteria
Second Semester
2007-2008 School Year

Criteria for Athletic Stipends

High School Assistant Athletic Directors
The Assistant Athletic Director at the High School level will be required to teach a full instructional load with their contracted stipend duties taking place outside of the workday.

Middle School Athletic Directors
Middle School Athletic Directors will be required to work an additional 8 days beyond their 200-day contract. They will also receive one additional planning period per day to assist in the day-to-day operation of the Athletic Department.

Set of Criteria Used to Determine Sport Category and Coaching Stipend

Supervision
1. The number of assistants to supervise
2. The number of students involved in the program based on the WVSSAC roster

Length of Season
1. The length of the season from the first day of practice through the first level of post season play.

Sport Categories

<table>
<thead>
<tr>
<th>Category 1</th>
<th>Category 1B</th>
<th>Category 2</th>
<th>Category 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Football</td>
<td>Baseball</td>
<td>Cheerleading/Fall</td>
<td>Cheerleading/Winter</td>
</tr>
<tr>
<td></td>
<td>Soccer</td>
<td></td>
<td>Golf</td>
</tr>
</tbody>
</table>

Swimming
Track
Volleyball
Wrestling

Board Approved 5/8/08
High School Assistant Coaches
High School Assistant Coaches will receive 70% of the Head Coaches’ salary based upon their experience level.

Middle School Coaches
Head Coaches at the middle school level will receive 60% of the High School Head Coaches’ salary for that particular sport based upon their experience level.

Assistant Middle School Coaches’ salaries are 70% of the Middle School Head Coaches’ salary based upon their experience level.

Additional days will not be added to a coach’s schedule without prior Board approval.

Requests for additional coaches must go through proper channels and be Board approved.

Head coaches will not receive an extra stipend due to the lack of an approved assistant coach.

Some stipend percentages were adjusted so that no individual would receive a decrease in pay.

Criteria for School-Based Stipends

The school-based stipends listed below have specific criteria attached.

High School Level
A Vo-Ag teacher works an additional 40 days beyond their 200-day contract

An Assistant Band Director works an additional 40 days beyond their 200-day contract

A Band Director works an additional 40 days beyond their 200-day contract

A Choral Director works an additional 20 days beyond their 200-day contract

A Financial Secretary at the High School level works an additional 40 days beyond their 200-day contract

Department Chairs teach a full schedule. The work of the Department Chair is to be done outside of regular work hours.

Department Chairpersons
Health and Physical Education (includes Drivers Education)

Language Arts (includes Foreign Language and ESL)

Math

School Counseling

Science

Social Sciences

Visual and Performing Arts

Career and Technical Education (Includes ROTC)
Middle School Level
A Band Director works an additional 40 days beyond their 200-day contract
An Athletic Director works an additional 8 days beyond their 200-day contract
A Vocational Agriculture Teacher works an additional 40 days beyond their 200-day contract

Elementary level
A Teaching Head Teachers work an additional 5 days beyond their 200-day contract
A Non-Teaching Head Teachers work an additional 10 days beyond their 200-day contract

Principals

High School Principals
Receive a 261-day contract

Middle School Principals
Receive a 240-day contract

Elementary School Principals
Receive a 235-day contract

Assistant Principals

High School Assistant Principals
Receive a 235-day contract

Middle School Assistant Principals
Receive a 220-day contract
### School-Based Stipends
**All Positions Contingent upon Student Participation and/or Scheduled Events**

#### High School Head Coach

<table>
<thead>
<tr>
<th>Position</th>
<th>Experience 0 - 4</th>
<th>Experience 5 - 8</th>
<th>Experience 9+</th>
<th>Days Beyond 200 Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseball</td>
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</tr>
<tr>
<td>Basketball</td>
<td>2,800</td>
<td>3,300</td>
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</tr>
<tr>
<td>Cheer (fall)</td>
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<tr>
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<tr>
<td>Golf</td>
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</tr>
<tr>
<td>Soccer</td>
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</tr>
<tr>
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</table>

#### High School Assistant Coach, Assistant Athletic Director, and Game Manager

<table>
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<tr>
<th>Position</th>
<th>Experience 0 - 4</th>
<th>Experience 5 - 8</th>
<th>Experience 9+</th>
<th>Days Beyond 200 Contract</th>
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<tr>
<td>Basketball</td>
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<td>2,660</td>
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<tr>
<td>Cheer (fall)</td>
<td>1,750</td>
<td>2,100</td>
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</tr>
<tr>
<td>Cheer (winter)</td>
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<tr>
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<td>1,750</td>
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<tr>
<td>Football</td>
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### Middle School Head Coach

<table>
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<tr>
<th>Position</th>
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<th>Experience 5 - 8</th>
<th>Experience 9+</th>
<th>Days Beyond 200 Contract</th>
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<tbody>
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<tr>
<td>Basketball</td>
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<td>1,980</td>
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<tr>
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<td>1,800</td>
<td>2,100</td>
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<tr>
<td>Cheer (winter)</td>
<td>1,500</td>
<td>1,800</td>
<td>2,100</td>
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<tr>
<td>Cross Country</td>
<td>1,350</td>
<td>1,600</td>
<td>2,100</td>
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<tr>
<td>Football</td>
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### Middle School Assistant Coach and Game Manager

<table>
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<th>Experience 9+</th>
<th>Days Beyond 200 Contract</th>
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### Department Chairs

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<th>Experience 9+</th>
<th>Days Beyond 200 Contract</th>
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### High Schools

<table>
<thead>
<tr>
<th>Position</th>
<th>New Experience 0 - 4</th>
<th>New Experience 5 - 8</th>
<th>New Experience 9+</th>
<th>Days Beyond 200 Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Coach</td>
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</tr>
<tr>
<td>Band Director</td>
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<tr>
<td>Band Director, Assistant</td>
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<tr>
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<tr>
<td>Vocational Agriculture</td>
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<td>2,500</td>
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</table>

“Excellence in Teaching and Learning”
APPENDIX 1

**Middle Schools**

<table>
<thead>
<tr>
<th>Position</th>
<th>New Experience 0-4</th>
<th>New Experience 5-8</th>
<th>New Experience 9+</th>
<th>Days Beyond 200 Contract</th>
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<td>40</td>
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<tr>
<td>Sponsor</td>
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<td>700</td>
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<td>Curriculum Chair</td>
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</tbody>
</table>

* Approved 7/23/12

<table>
<thead>
<tr>
<th>Position</th>
<th>New Experience 0-4</th>
<th>New Experience 5-8</th>
<th>New Experience 9+</th>
<th>Days Beyond 200 Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head Teacher, Teaching</td>
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<tr>
<td>Head Teacher, Non-Teaching</td>
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</tr>
<tr>
<td>Lead Bus Driver</td>
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<td>700</td>
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</tr>
<tr>
<td>Occupational/Physical Therapist</td>
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<td>Psychologist</td>
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</tr>
<tr>
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<td>Public Water Safety Operator</td>
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<tr>
<td>Technology Specialist</td>
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<td>1,500</td>
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**Supplemental Pay/Extra Duty Assignment**

$20.00 per hour

Co-Coaches may be appointed for a one-year term of employment. The position shall be posted annually with the intent of filling the position with an individual coach.

All coaching positions held by an individual who holds only the West Virginia Coach Workshop Certification and is not otherwise employed as a teacher or substitute or substitute teacher by the Jefferson County Board of Education shall be posted annually.
## APPENDIX 1

### Secondary Assistant Principal

<table>
<thead>
<tr>
<th>Experience</th>
<th>0 - 3</th>
<th>4 - 8</th>
<th>9 - 14</th>
<th>15+</th>
<th>Days Beyond 200 Contract</th>
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<td>6,250</td>
<td>35</td>
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<td>Assistant Principal, Middle School</td>
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<td>5,500</td>
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### Principal

<table>
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<tr>
<th>Experience</th>
<th>0 - 3</th>
<th>4 - 8</th>
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<tr>
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<tr>
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## Administration Stipend Scale - Fiscal Year 09

<table>
<thead>
<tr>
<th>Position</th>
<th>Emp Term</th>
<th>Level</th>
<th>0-3</th>
<th>4-8</th>
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<tr>
<td>* Board Services Secretary</td>
<td>261</td>
<td>I</td>
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</tr>
<tr>
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<td>III</td>
<td>3,500</td>
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<td>5,000</td>
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<tr>
<td>Coordinator of Middle Schools</td>
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<td>III</td>
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<tr>
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<tr>
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<td>3,500</td>
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</tbody>
</table>

* Denotes Service personnel
Chapter 7 – Instruction

1.0 Instructional Goals

We believe the ultimate purpose of education should be the development of an individual who can deal with life effectively in terms of his/her own good and the good of society. Effective citizenship requires that all participants develop desirable intellectual, cultural, social, emotional, and physical maturity. This purpose is possible only when opportunities are provided for each child to achieve maximum growth at the various stages of his/her development. Thus, every educational endeavor must ultimately be evaluated in terms of the extent to which it contributes to this purpose.

The educational program introduces each student to a variety of interest and subject areas that offer exposure to the range of opportunities available in later years. These experiences produce the basis for further education and future employment and ensure college and career readiness. The school environment should be responsive and conducive to learning. The physical environment facilitates and enhances the learning experiences available to each student. A responsive environment includes competent, dedicated teachers using a variety of techniques. Safety, physical comfort, and appearance also are vital environmental components.

Jefferson County’s commitment to excellence and recognition of the specific needs of the individual child drive our goals for the success of each student.

To this end, our goals are as follows:

1. All students will have equal educational opportunities.
2. Students will graduate with the knowledge and skills paramount to success in a competitive and changing society, including those physical and emotional skills that lead to being a contributing member of society.
3. Students will have an appreciation of global cultures.
4. Students will be provided a safe and stimulating learning environment.
5. Opportunities will be provided for school personnel to improve their knowledge and skills to help ensure that all students succeed.
6. Schools will become centers for life-long learning and community service with partnerships that support teaching and learning.
7. The best personnel will be recruited, retained, and provided competitive salaries and benefits.
8. Jefferson County Schools is dedicated to using technology to enhance learning, which engages and empowers all learners in a global society.
These goals augment and are in addition to West Virginia Board of Education Content Standards and Policies.

2.0 Dropout Prevention

Jefferson County Schools is committed to ensure success for all students which includes a supportive learning environment that begins in early childhood and continues throughout the child’s years within the school system. All school personnel will work together in offering each student the best individualized educational program. This supportive program will ensure student success and enable each student to have the most beneficial academic experience.

Jefferson County Schools will provide an individualized approach to education through a proactive response to education and recognition of individual student ability. This proactive response includes instructional interventions, extended school year, summer school, and credit recovery. These programs provide children with multiple opportunities to ensure success as well as support when needed to master challenging standards. If a student decides to withdraw from school, he/she shall participate in an exit interview with the school counselor. This may prepare the student for his/her options for consideration when he/she is out of the school setting.

3.0 Program Management

3.1 Curriculum

Curriculum shall be developed in a collaborative effort by all the educational community consistent with West Virginia State Board of Education and West Virginia State Codes. Reference: West Virginia State Board Policy 2510

3.2 Summer Program

The Board will offer a summer school program for appropriate levels depending on student need and available funding. Tuition charges, if any, will be established annually by the Board. Students eligible for free or reduced lunch will be exempt from paying tuition.

3.3 Home School Instruction

In accordance with Exemption C, West Virginia Code § 18-8-1, Compulsory School Attendance, persons providing home instruction are required to make notice of intent to provide home instruction. The parent or legal guardian shall submit to the county superintendent the result of the academic assessment of the child at grade levels three, five, eight and eleven, as applicable, by June 30 of the year in which the assessment was administered. All home instructors must have a high school diploma or equivalent.

If a student plans to enter Jefferson County Schools following home instruction, the administrator in charge of Home School Instruction will determine appropriate grade placement. However, in grades nine through twelve Carnegie credits are granted only from an accredited institution.
All students entering Jefferson County Schools are subject to the school entrance policy established by Jefferson County Schools. Any child receiving home instruction may, upon approval of the superintendent, exercise the option to attend up to two classes, for enrichment, offered by the county board of education subject to normal registration and attendance requirements.

All specific requirements for home school instruction are to be found in the Jefferson County Standard Operating Procedures (SOP) 7.14.

3.4 Special Education
Special education services are provided for students identified as exceptional according to West Virginia State Policy 2419 (Regulations for the Education of Exceptional Students).

Copies of the special education regulations and procedures shall be kept on file at each school and in the county office. Reference: Public Law 108-446

3.5 Adult Education
Jefferson County Schools partners with the Jefferson County Parks and Recreation Department to offer community education programs designed to support life learners in the community.

A. Community Education. As faculty and facilities are available, the Board shall design community education programs to meet community interests and needs.

B. Adult Education. Educational courses will be offered to assist with secondary education completion.

3.6 Language Instruction Educational Program

A. Purpose and Goal
A language instruction educational program (LIEP) shall be provided for identified English learners whose difficulties speaking, reading, writing, or understanding the English language may deny the ability to meet challenging academic standards. The purpose of the LIEP will be to facilitate achievement of English proficiency and academic content standards for West Virginia schools. The overarching goal of the LIEP is to support the ability of English learners to achieve in classrooms where the language of instruction is English as well as to offer English learners the opportunity to participate fully in society.

B. Required Program
Identified English learners who are aged 3 through 21 and enrolled in an elementary or secondary school shall participate in the LIEP. The English Language Proficiency standards, as defined in West Virginia Policy 2417, shall serve as the framework for providing an effective LIEP.
C. Eligibility

A home language survey shall be used to identify students whose primary or home language is other than English. As determined by the home language survey, potential English learners shall be accessed using a valid and reliable English language proficiency screener. Students who do not score proficient on the screener shall be formally identified as English learners and eligible to participate in the LIEP.

4.0 Instructional Materials

4.1 Selection

4.1.1 Philosophy

A modern school system must provide for its students a wide variety of instructional materials that must be constantly evaluated, revised, and replaced. Materials used must be up-to-date, challenging, accurate, realistic and reflective of the student community being serviced by the materials. Instructional materials must be reviewed and updated as necessary to reflect the current educational standards and cultural expectations of the Jefferson County community.

4.1.2 Responsibility

The Board is ultimately responsible for all matters relating to the operation of Jefferson County Schools including the selection of instructional materials.

The responsibility for the selection of instructional materials is the Board's; however, the Board delegates to the professionally trained personnel employed by the school system as well as feedback from community members, a big role in making a recommendation. The chairman and two members of each textbook selection committee shall appear before the Board to present materials and summarize reasons for selection of materials prior to its adoption.

4.1.3 Objectives

The primary objective of the school's instructional materials selection is to implement, enrich, and support the educational program of the school. It is the duty of the school system to provide a wide range of materials on all levels of difficulty, with diversity of appeal, cultural diversity, and the presentation of different points of view.

4.1.4 Challenged Materials

Occasional objections to a selection may be made, despite the care taken to select valuable materials for student and teacher use. It is the policy of the Board to have open and fair review of challenged materials.

See SOP 7.12, Instructional Materials Evaluation
4.1.5 Materials Review Committee

The criteria for selection of Jefferson County Schools’ instructional materials are a review committee whose positions are posted by the Human Resources department. Members are selected from the qualified list of applicants by recommendation of the Curriculum and Instruction department with subsequent board approval. The following may be hired and/or serve on the selection committee:

A. General and special education teachers representative of grade level or content areas
B. Cultural Diversity Coordinator
C. Curriculum and Instruction Coordinator

Schools may supplement the WVBOE adopted curriculum through a review committee. A review committee of supplemental instructional materials from each school shall be appointed by the principal and may include:

A. The head teacher or assistant principal
B. Teacher representative from content area or grade level
C. Guidance counselor, if available
D. Librarian
E. Parent representative (not a school employee)

4.1.6 Policy for the Use of Multimedia Materials Not Owned, Broadcast or Recommended by the Jefferson County Board of Education

Incorporating media in the classroom is an effective instructional practice. Teachers are expected to align the digital content with the appropriate, efficient and ethical use of internet in the school setting. Lesson plans should reflect the content standard’s use of media. Teachers are required to preview all content prior to classroom use. Teachers must also adhere to local and state acceptable use policies. (See JCBOE Policy Manual, Chapter 6, Personnel; WVBE Policy 2460)

The Jefferson County Board of Education shall provide students with appropriate instructional materials. Multimedia shown at a school or as a part of a school-sponsored function or event must be relevant to the curriculum being studied and appropriate for the age and maturity levels of students being taught.

References: SOP 7.9a, Guidelines for the Use of Multimedia Materials Not Owned, Broadcast, or Recommended by the Jefferson County Board of Education
Jefferson County Board of Education Policy Chapter 6, Copyright Policy
4.2 **Textbooks**

The Board approves electronic and course books upon recommendation of the superintendent from those approved by State Board of Education.

4.2.1 **Purchase of Materials**

The policy of the Board is to pay for all primary instructional materials.

4.3 **AIDS Education Policy**

Instruction concerning Acquired Immunodeficiency Syndrome (AIDS) is required by State Law to be part of the curriculum. This matter must be treated with great importance due to the nature of the disease but must also be treated with tact and discretion. It shall be the policy of the Jefferson County Board of Education that instruction concerning AIDS, its nature, causes, transmission, and symptoms shall be a part of the curriculum of our schools and shall be handled by the teachers in a manner consistent with the maturity of their students.

The goal of this policy is to assist in the protection of students by providing them with the knowledge necessary to avoid behavior that will put them at risk of infection with the Human Immunodeficiency Virus (HIV). The Jefferson County Instructional Program shall adhere to West Virginia Code §18-2-9(b) and the established West Virginia-Standards and Objectives.

5.0 **Instructional Practices**

5.1 **Lesson Planning**

Good planning is indispensable to good teaching. Adequate plans would include both long and short-range plans. Lesson plans shall

A. be available on the first day of the week for the remainder of the school week;
B. be current and adequate to serve the needs of either the teacher or a substitute teacher;
C. be based on approved Content Standards and Objectives or county board approved course outlines for elective (WV Department of Education Policy 2520);
D. be reviewed at least once each nine weeks by the principal, with the principal making comments that are noted in the teacher’s plan book. (WV Department of Education Policy 2320, 2510, and 5310); and
E. contain a clear objective for the lesson;

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

5.2.1 Grading/Reporting for Primary Grades 1 and 2

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

<table>
<thead>
<tr>
<th>O</th>
<th>Outstanding</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>Satisfactory progress and performance (May include “+” or “-” notation for “S” grades only.) (“S+” shows strong progress and performance and “S-” shows progress but lacks of consistency)</td>
</tr>
<tr>
<td>U</td>
<td>Unsatisfactory progress and performance</td>
</tr>
</tbody>
</table>

Levels of performance for grades one and two:

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

**Indicators of Effort:***

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

- The student rarely participates in classroom activities/discussions and only completes task when total support is provided.

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

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

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

5.2.2 Grades 3, 4 and 5 Grading/Reporting

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

<table>
<thead>
<tr>
<th>Grade</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>O</td>
<td>Outstanding</td>
</tr>
<tr>
<td>S</td>
<td>Satisfactory progress and performance (May include “+” or “-” notation for “S” grades only.) (“S+” shows strong progress and performance and “S-” shows progress but lacks of consistency)</td>
</tr>
<tr>
<td>N</td>
<td>Needs improvement</td>
</tr>
<tr>
<td>U</td>
<td>Unsatisfactory progress and performance</td>
</tr>
</tbody>
</table>

Grading scale for grades three through five:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>90 – 100</td>
</tr>
<tr>
<td>B</td>
<td>80 – 89</td>
</tr>
<tr>
<td>C</td>
<td>70 – 79</td>
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<tr>
<td>D</td>
<td>60 – 69</td>
</tr>
<tr>
<td>F</td>
<td>0 – 59</td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

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

5.2.3 Middle School – Grades 6, 7, and 8

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

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

Nine-weeks grades must be recorded on the report cards in letter grades with each letter being assigned a percent value. Both letter and percent must be shown on the report card. Percents must be rounded to the nearest whole percent.

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

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

<table>
<thead>
<tr>
<th>Grading Scale and Quality Points (§ 126-37-3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0</td>
</tr>
<tr>
<td>3.0</td>
</tr>
<tr>
<td>2.0</td>
</tr>
<tr>
<td>1.0</td>
</tr>
<tr>
<td>0</td>
</tr>
</tbody>
</table>

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

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

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

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

1. At least two summative assessments (i.e., projects, unit tests, chapter tests, portfolios, approved alternate assessments, etc.) shall be given each nine weeks.
2. There will be one cumulative assessment valued at 1/7 of the semester average. This cumulative assessment will be administered near the conclusion of the semester. Prior to administering to students, each teacher must provide to the school based administration for review and approval a copy of this assessment with scoring guidelines.
3. Seniors eligible for graduation may request an exemption from any second semester cumulative assessment if the following criteria are met:
   a) The senior must have a cumulative second semester average per course of at least 93% 8 days prior to the graduation date.
   b) The senior’s discipline record may not include any out of school suspensions during the second semester.
4. Homework will be 10% of a student’s final nine week grade.
Jefferson County Schools is committed to ensuring the success of all students. Equally, we understand that circumstances arise in a student’s life that prohibit him/her from functioning at his/her highest caliber. Therefore, to help students understand the obstacle of failure and how to correct mistakes the following re-test guidelines are established.

Re-Test after Failure:

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

1. Jefferson County Schools has the responsibility to provide an annual notice to students/parents regarding this policy. Individual student access for retest opportunity may be revoked by the administration upon substantiation of abuse.

2. The retest is graded for student feedback; however, the student will receive the higher of the two (original or retest) scores. Regardless of the actual score on the retest, the grade for the test will be capped at 70%.

3. This retest option does not apply to the cumulative assessment.

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

5.2.5 Elementary, Middle and High School Honor Rolls, High School Ranking and Recognition, and Weighted Grade Policy and Implementation Procedures

A. Honor Roll

1. Elementary Grades: The honor rolls for all Jefferson County elementary schools shall be computed in the following manner:

   A. Students in grades one and two shall be recognized
for academic achievement at the classroom level by the classroom teacher.

B. Honor rolls will be computed for grades three through five each nine weeks.

1. A student who has a grade of "D", "F", or an Incomplete may not be on the honor roll.

2. A student who has received an unsatisfactory grade of "U" in music, art, library, physical education may not be on the honor roll.

3. Using the following computational procedure, a student must have a 3.0 average to be on the honor roll:

**COMPUTATION SCALE**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Numerical Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>B</td>
<td>3.0</td>
</tr>
<tr>
<td>C</td>
<td>2.0</td>
</tr>
<tr>
<td>D</td>
<td>1.0</td>
</tr>
<tr>
<td>F</td>
<td>0.0</td>
</tr>
</tbody>
</table>

2. Middle School

A. No student may be on the honor roll if he/she has a "D" or "F" in any class (semester grade).

B. A student must have a 3.0 average to be on the honor roll.

**COMPUTATION SCALE**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Numerical Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>B</td>
<td>3.0</td>
</tr>
<tr>
<td>C</td>
<td>2.0</td>
</tr>
<tr>
<td>D</td>
<td>1.0</td>
</tr>
<tr>
<td>F</td>
<td>0.0</td>
</tr>
</tbody>
</table>

3. High School

A. No student may be on the honor roll if he/she has a "D" or "F" in any class (semester grade).

B. A student must have a 3.0 average to be on the honor roll.

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

<table>
<thead>
<tr>
<th>Grade</th>
<th>AP &amp; Dual Credit Classes</th>
<th>Honors Classes</th>
<th>Regular Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 – 100 A</td>
<td>5.0</td>
<td>4.5</td>
<td>4.0</td>
</tr>
<tr>
<td>80 – 89 B</td>
<td>4.0</td>
<td>3.5</td>
<td>3.0</td>
</tr>
<tr>
<td>70 – 79 C</td>
<td>3.0</td>
<td>2.5</td>
<td>2.0</td>
</tr>
<tr>
<td>60 – 69 D</td>
<td>2.0</td>
<td>1.5</td>
<td>1.0</td>
</tr>
<tr>
<td>0 – 59 F</td>
<td>No Credit</td>
<td>No Credit</td>
<td>No Credit</td>
</tr>
</tbody>
</table>

C. High School Graduation Ranking/Recognition

All students in a class shall be included in the determining of rank-in-class. However, to be eligible for inclusion in the class ranking, a student must have completed the first semester of his/her senior year at Jefferson High School or Washington High School. Credits earned in classes that count toward high school graduation, except classes evaluated on a pass-fail basis, shall be included when computing class rank and grade point average. Exact rank shall be computed at the end of the junior year and again at the end of the first semester of the senior year. Class rank shall be determined by grade point average as computed by the West Virginia Education Information System (WVEIS) as it pertains to the Jefferson County Weighted Grade Policy.

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

<table>
<thead>
<tr>
<th>Honor</th>
<th>GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summa Cum Laude</td>
<td>3.8 and above</td>
</tr>
<tr>
<td>Magna Cum Laude</td>
<td>3.4 – 3.7</td>
</tr>
<tr>
<td>Cum Laude</td>
<td>3.0 – 3.3</td>
</tr>
</tbody>
</table>

5.2.6 Interims

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

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

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

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

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

<table>
<thead>
<tr>
<th>Percent</th>
<th>Letter Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>80% - 100%</td>
<td>P</td>
</tr>
<tr>
<td>0% - 79%</td>
<td>F</td>
</tr>
</tbody>
</table>

A student who passes the test will be granted credit and the grade will not be computed in the student’s grade point average. A student who fails the test must take the class to receive credit.
B. A student may, after taking the comprehensive exam, choose to enroll in the class and choose not to have the grade earned on his/her test entered on his/her permanent record. Should the student choose not to enroll in the course, the grade
earned will be recorded on the student's permanent record.

The student may take a test only one time.

**Eligible Classes**

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

**Other**

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

5.2.8 Guidelines for Student Credit Recovery

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

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

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

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

1. Students will only be enrolled in credit recovery classes that they have previously failed unless there are extenuating circumstances that would permit otherwise.

2. Students will receive an “F” for any courses not completed in a semester’s time period.

3. Seniors using credit recovery must complete their course work by the senior exam deadline in order to graduate with their class.

5.3 Homework Policy

Homework is a necessary and integral part of the total educational process. The habit of homework is to be initiated early in the school experience. Homework should be assigned daily and be an extension of classroom instruction.

Homework assignments are expected in the following suggested time allotments:
The following guidelines should be used when assigning homework:

Grades 1 – 5  10 minutes per grade level (grade 1-10 minutes, grade 2-20 minutes, grade 3-30 minutes, etc).

Grades 6 – 8  Team decision not to exceed 1 – 1½ hours per evening

Grades 9 – 12  Teacher determination based on the rigor level of content.

** Homework will not count more than 10% of a student’s final nine-week grade.**

5.4 Make-up Work Procedures:

- A student will be allowed to make-up work missed for excused and unexcused reasons in the following manner:
- Upon returning to school, it is the student’s responsibility to initiate a request for assignments given during an absence and complete all make-up work.
- For each school day missed, a student will be granted a minimum of one school day for completion of assignments once they are provided. (e.g., missed Tuesday; receive work Wednesday; due Thursday).
- The principal has the authority to grant an extension of time for submission of assignments. Students absent due to curricular, co-curricular, and leaves of educational value may be required to obtain assignments prior to the activity and submit them upon the student’s return.

5.5 Field Trips

The Board encourages educational field trips that enhance the learning process as an extension of the curriculum transition between exiting and entering grade levels and schools, or are both a recommended and approved part of a co-curricular or extra-curricular activity. Expenses related to field trips shall be discussed with and approved by the school administrator before submission to the Board Office. Educational field trips shall be available to all qualifying students regardless of financial means. Unless it has been determined that a student is a danger to him/herself or others, students shall not be excluded from educational field trips as a disciplinary measure. To gain approval, a field trip must align with the guidelines listed in SOP 7.5.
Graduation Requirements

<table>
<thead>
<tr>
<th>Graduation Requirements: 24 credit required: 18 prescribed and 6 personalized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduation requirements for the class of 2018 and beyond</td>
</tr>
</tbody>
</table>

**Graduation Requirements (18 prescribed)**

<table>
<thead>
<tr>
<th>Subject</th>
<th>Credits</th>
<th>Details</th>
</tr>
</thead>
</table>
| English Language Arts           | 4 credits | English 9  
English 10  
English 11  
English 12 or English 12 CR or Transition English Language Arts for Seniors  
An AP® English course may be substituted for any of the above courses. |
| Mathematics                     | 4 credits | Math I or Math I Lab  
Math II  
Math III STEM, or Math III LA or Math III TR  
Math IV or Math IV TR or Transition Mathematics for Seniors or any other fourth course option (see chart on page 35).  
An AP® Mathematics course may be substituted for an equivalent course or any fourth course option. |
| Science                         | 3 credits | Earth & Space Science (For students in Grade 9 that will graduate in 2020)  
Physical Science (for students in grades 10-12 that will graduate in 2017, 2018, or 2019)  
Biology (Grade 10)  
One additional lab science course or AP® science course |
| Social Studies                  | 4 credits | World Studies (Grade 9) or an AP® Social Studies course  
United States Studies (Grade 10) or an AP® Social Studies course  
One additional Social Studies course or an AP® Social Studies course  
Civics for the Next Generation or AP® Government and Politics. |
| Physical Education              | 1 credit |         |
| Health                          | 1 credit |         |
| The Arts*                       | 1 credit |         |

* Students who choose to substitute one of the listed CTE courses for the required art credit must enroll in an additional CTE course applicable to their selected CTE concentration.

The following courses are approved for substitution:

1851 - Fundamentals of Illustration (taught at James Rumsey Technical Institute)  
1857 - Fundamentals of Graphic Design (taught at James Rumsey Technical Institute)  
1861 - Advanced Illustration (taught at James Rumsey Technical Institute)  
1859 - Advanced Graphic Design (taught at James Rumsey Technical Institute)  
1431 - Digital Imaging (taught at JHS and WHS)
### Graduation Requirements (6 personalized)

<table>
<thead>
<tr>
<th>Personalized Education Plan (PEP)</th>
<th>4 credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each student’s Personalized Education Plan (PEP) will identify coursework for the four (4) credits that will lead directly to placement in entry-level, credit-bearing academic college courses, an industry-recognized certificate or license, or workforce training programs. Best practices encourage students to take at least 1 AP® and/or AC course with corresponding examination, a fourth Science credit, and 2 credits in one World Language, and/or four credits cumulating in acquisition of industry recognized Career and Technical Education credential focused on career aspirations.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Electives</th>
<th>2 Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>The remaining graduation requirements are to be electives. When choosing electives, students should consult with their chosen postsecondary educational program to make sure the electives are acceptable.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Career Development</th>
<th>All students in grades 9-12 shall be provided structured, on-going experiences for career exploration, decision making and career preparation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Experiential Learning</td>
<td>All students must participate in an experiential learning experience at some time in grades 9-12 earning a minimum of 4 hours to meet graduation requirements.</td>
</tr>
<tr>
<td>Technology</td>
<td>Students in grades 9-12 shall be provided integrated opportunities within the core requirements to master the standards for Policy 2520.14. It is recommended that all students take at least one course in technology applications during grades 9-12. It is also recommended that all students complete an online learning experience during grade 9-12. Students must be provided opportunities for advanced technology applications.</td>
</tr>
<tr>
<td>Student Advocate/Advisor/ Mentor “LINKS”</td>
<td>High schools will implement an advisory system that provides students with meaningful supportive relationships and maximizes each student’s personalized learning experience. An adult advocate, advisor, or mentor will take an interest in each student’s successful learning, goal setting, career planning and personal growth.</td>
</tr>
</tbody>
</table>

**TOTAL CREDITS NEEDED TO GRADUATE = 24 and 4 hours of experiential learning**

NCAA Eligibility Requirements


"Excellence in Teaching and Learning"
6.1 Certificate of Proficiency

I. Purpose
The purpose of the proficiency and the warranty is to implement West Virginia Code § 18-2-6 (d) and West Virginia State Board of Education Policy 2510 and to provide employers and post-secondary educational institutions a guarantee of the student's proficiency level. Not later than the school year one thousand nine hundred ninety-one, certificates of proficiency including specific information regarding the graduate's skills, competence, and readiness for employment or honors and advanced education shall be granted, along with the diploma, to every eligible high school graduate. The word "diploma" applies to both the standard and modified diploma.

II. Contents of the Certificate of Proficiency
The following information shall be recorded on the certificate of proficiency:

- Standardized test results in the basic skills areas of reading, math, and language arts, including both total scores and the sub-test scores
- Courses taken in grades nine through twelve with grades and credits received
- Computer instruction received
- GPA (grade point average) for grades nine through twelve
- Class rank out of the total graduating class
- Attendance per year
- Co- and extra-curricular activities
- Grade scale include letter/numerical equivalent and use of weighted grades
- Level of proficiency in each basic skill area
- Special competencies
  - Vocational training

The certificate of proficiency shall be mailed to each Jefferson County high school graduate no later than July 31, 1991, and no later than July 1 thereafter.

6.1.1 Guidelines for Reviewing Requests for Transfer of Credits for Graduation from Exemption (k) Schools (WV Code § 18-8-1)
The public schools of Jefferson County are cognizant of the reality that various ways exist to provide a high quality education. Therefore, they are open to accepting a transferred credit from a nonpublic Exemption (k) school, provided the transferring credit meets standards as rigorous as those of the course it will replace in the public school curriculum. This process utilizes the same standard as used for the acceptance of any credit into the public school system.

A local school official, generally the guidance counselor, will conduct a curriculum review of the proposed credit when a nonpublic Exemption (k) school requests to have its credits transferred into a public school. The local school official from the receiving school system in consultation with the transferring nonpublic Exemption (k) school will determine if the proposed credit meets standards that are comparably as high as those set by the West Virginia Board of Education. The nonpublic curriculum standards do not have to duplicate the public school standards.

6.2 Experiential Learning

I. Purpose

Jefferson County students in grades nine through twelve will be provided experiential learning experiences. Experiential learning experiences must have the demonstrated ability to assist the student in attaining the Process/Workplace Skills.

II. Requirement

Beginning in grade 9, to be completed by the end of grade twelve, each student will be required to complete a minimum of 4 hours of experiential learning experience as a graduation requirement. Experiential learning opportunities are activities related to a student’s career choice that assist students to: gain an awareness of the workplace; develop an appreciation of the relevance of academic subject matter to workplace performance; and gain valuable work experience and skills while exploring career interests and abilities. It is not required that the experiential learning experience occurs during the regular school day or within the school calendar. To verify completion of the required graduation hours, an agreement signed by the employer, instructor, and principal or his/her designee must be presented for verification of the learning experience.

III. Awarding of Credit

Awarding of credit is optional. A student may gain credit by successful completion of established high school experiential learning programs.

6.3 Required Major and Recommended Elective Course Substitution Policy
I. Purpose

The following guidelines are intended to allow students, whether they are preparing for college, other post-secondary education or work to take a higher level course, advanced placement course, college course or more rigorous substitute in place of a required major course or recommended elective course as set forth in the applicable high school program of studies, as evidenced by parental and school signatures on a uniform parental consent form maintained in the student’s permanent record.

Definitions

1. Higher Level Course: A course in the same content area, but at a higher sequential level (i.e., Algebra II in lieu of Algebra I)

2. Advanced Placement Course: College Board Advanced Placement Course

3. College Course: Any course for which college credit is awarded (i.e. dual credit, advanced standing, regular college course).

4. More Rigorous Substitute: A course with the same or closely related content area in which the rigor and expectations are higher than the course for which the substitution is being made (i.e., Honors English 9 in lieu of English 9).

II. Process § 18-2E-8d

A student, in consultation with his or her parents, may request to take a higher-level course, advanced placement course, college course or more rigorous substitute course in lieu of a required major or recommended elective course as specified in the high school program of studies. Such requests should be reviewed by the school curriculum team or other appropriate entity on an individual merit basis. The decision as whether the substitute course will count as credit for the specified major or recommended elective requirement must be based on its applicability to the student’s five-year transition plan and post high school goals.

The student and his or her parents must be advised of the decision of the curriculum team and the impact of the substitute course on the student’s preparation for college, other post-secondary education or employment in the student’s major field of study. Furthermore, the student’s Certificate of Proficiency must not indicate that the student completed a program of study major unless the curriculum team judges the course to be related and relevant to the major field of study.

The student’s parents and the authorized school official must sign the parental and school certification form indicating that this process was followed and that the parents clearly understand the impact of the course substitution. This form must be maintained in the student’s permanent record.
6.4 Dual Credit Policy

Definition: Dual credit is defined as a college-level course of study offered to high school students. Dual credit courses enable high school students to receive, simultaneously, both high school and college-level course credit. Such courses must meet both the specified course content standards and objectives for the secondary and college course requirements. A high school student may earn both high school and college credit (dual credit) for the same course upon completion of course requirements.

Dual credit courses may be taught by full-time college faculty who instruct high school students on campus or by a high school teacher who has been approved by the college to teach the course. Determined by where the student is enrolled, attendance will follow the higher learning institution’s class schedule or the high school’s class schedule.

Principles: The primary purpose of offering dual credit courses is to deliver high-quality college experiences to high-performing high school students. Dual credit courses achieve multiple purposes: an expansion of access to college, an increase in the college-going rate, an increase in student success in college, and an enhancement of college affordability. West Virginia Code §133-19-3

Location: Dual credit courses may be delivered on the college or the high school campus or a virtual environment.

Credit: The instructor will develop guidelines for the awarding of credit for both the secondary and the postsecondary credit. The grading scale used for the award of credit will be that of the postsecondary institution. College credit will be awarded for courses taken for dual credit upon the student’s successful completion of the course. High school credit will also be awarded by the secondary school upon successful completion of the course. All grades earned for college credit by the student in a dual credit course will be recorded on a postsecondary institution’s transcript.

Tuition: Tuition and other fees and charges for dual credit courses will be consistent with the published dual credit tuition rates as approved by the WV Higher Education Policy Commission. The higher education institutes will publish their fees and tuitions. It is the responsibility of the parent or guardian to pay all fees and tuition. The student has the responsibility to purchase or rent the approved textbook or other materials needed for the postsecondary course.

Student Eligibility: To participate in dual credit courses, students must obtain an application for the program from guidance and a recommendation from the principal or designee.

The following criteria must be meet for eligibility:
1. ACT score of 21 or SAT score of 1,000 or the equivalent PSAT score
2. Overall cumulative grade point average of the higher learning institution
3. Fewer than 10 unexcused absences per year
4. Enrolled in the college (university)

Juniors and seniors will be excused during the school day to attend college courses. Students who are denied dual enrollment may appeal the decision.

Coursework Criteria: In the case that a dual credit course is used to meet a graduation requirement, the courses must reflect the college-approved syllabi, texts, assignments and assessments as well as the review and approval of the WVDE and WVBE. The high schools and the higher education intuitions will determine which courses are acceptable for dual enrollment. In addition, certain courses may be taken and awarded college credit but may not fall into the category of dual enrollment if their content standards and objectives do not align with the WVDE content standards.

Many courses are eligible for dual enrollment, but not all courses satisfy WVDE graduation requirements. Other approved curriculum is available for elective credit. WVDE (§ 126.5.4.h.1), as well as WVSSAC (§127.2.6.1.b) regulations, state that students must attend their home schools for four credit bearing classes per day.

Enrollment and posting of grades: Students enrolled in dual credit courses must adhere to the dates comparable to those specified on the college campus for registration, drop, withdrawal, or refund.

Withdrawal from dual credit course: A student who withdraws from a dual credit course must enroll in a WV Virtual School course to complete the missing graduation requirement.

Awarding of Credit: To receive high school credit, students must send an official transcript at the end of each college semester to the designated high school counselor for the posting of grades on the high school report card and transcript. Only a letter grade will be listed. The grading scale will be that of the higher learning institution.

6.5 VIRTUAL EDUCATION PROGRAM POLICY

Approved June 25, 2018

Scope. This policy establishes a virtual education program that offers eligible students in grades six through twelve an online pathway for earning a high school diploma.


Effective Date. June 26, 2018 for students in grades 6-12 with the ability to expand to elementary (K-5) in subsequent years.

Definitions

Blended program—a formal education program in which a student learns:
(1) At least in part through online learning, with some element of student control over time, place, path or pace;
(2) At least in part in a supervised setting outside the home; and
(3) In such a way that the modalities of each student’s learning path within a course or subject are connected to provide an integrated experience.

Eligible student—a student eligible for attendance in public schools in a school district that provides a virtual instruction program, that is a member of a multicounty consortium providing a virtual instruction program or that does not provide a virtual instruction program and is not a member of a multicounty consortium but participates through a collaborative agreement between the school district in which the student is enrolled and a school district or a multicounty consortium providing a virtual instruction program.

Full-time student—student enrolled for the full instructional day and completing required course for a WV public school diploma (e.g. 6 half credit courses per semester—this number would be based upon the number of instructional periods offered daily).

Part-time student—student enrolled up to 50% of the instructional day (4 periods for WVSSAC eligibility).

Virtual course—any virtual pathway course offered by Jefferson County that meets the specified state-approved standard for that course.

Virtual instruction program—a program implemented by a county board or multicounty consortium that provides a full-time online or blended program of instruction for students enrolled in any composition of grades six through twelve.

Full-time virtual program—formal education program in which a student learns through a total online learning environment/platform.

**Student Eligibility and Requirements**

Students who meet the following requirements are eligible to participate in the virtual education program:

- Enrolled in Jefferson County Schools as a full or part-time student
- Enrollment deadlines
  - By August 15, 2018 for first semester
  - By January 5, 2019 for second semester
- Parents and students must successfully complete Jefferson County School’s virtual education orientation/course/program/session.
- Meet school system and/or state enrollment requirements for the Jefferson County School system, including health requirement such as immunizations, physicals, dentals, etc.
- Meet school system and/or state enrollment requirements for the course(s) in
questions including successful completion of any prerequisite courses.

☐ Meet JCS requirements for characteristics of a successful online learner including completion of online evaluation.

☐ Maintain a minimum grade of a C on a numerical grade scale in courses taken during the current academic year (grade would have to be high enough to maintain C average for sports).

☐ Have access to consistent, daily internet service.

☐ Have reliable transportation to and from tutoring site.

☐ Mandatory weekly face to face meeting for initial 9 weeks with individualized follow up schedule based on individual student evaluation.

☐ Weekly communication is required (between online student and the school).

**Attendance**

Students who are enrolled in the full-time virtual program and otherwise meeting all course requirements are exempt from onsite attendance requirements with the exception of the face to face tutoring session outlined in the student’s virtual plan.

Students participating in the virtual education option will be considered as being in attendance if the students are successfully progressing in the virtual education coursework. Successful progression will mean completing courses to graduate with one’s four-year cohort. To receive an eligibility form for a driver’s license, student must be progressing successfully in the coursework and communicating weekly with staff.

The Jefferson County School system reserves the right to set specific attendance requirements for each virtual course. The superintendent or their designee is authorized to develop alternate attendance policies for virtual course, provided that students in such programs are given notice of the attendance requirements. A student’s failure to comply with such requirements may result in administrative action including, but not limited to, probation or removal from the class or a charge of truancy, if appropriate.

All virtual program students will be enrolled as a student in the high school or middle school zone in which they reside. These students will be counted in the average daily membership.

**Extracurricular Activities**

Students enrolled as a full-time student in the virtual program are eligible to participate in co-curricular and extracurricular activities in the school in which they are enrolled according to attendance zone.

Student must meet the same extracurricular activity eligibility requirements enrolled in the traditional day program including any applicable WVSSAC requirements. Student residency for purposes of participating in extracurricular activities will be determined in accordance with applicable Jefferson County Schools’ policies and WVSSAC policies, [www.wvssac.org/rules-and-regulations/](http://www.wvssac.org/rules-and-regulations/).
**Course Progression**

Students are required to progress through online courses at a rate comparable to the progression of a traditional class. Student performance will be monitored and reported on a regular intervals consistent with a traditional day program.

**Dropping Online Course/Transition Back to Traditional Course**

Student may drop an online course and transition to a traditional course (or vice versa) within 10 days without grade penalty.

- Jefferson County requires that virtual students utilize the existing drop/add process on-site at the zoned school for transitioning back to traditional course or home school status.

- Dates for withdrawing with no grade and withdrawing failing are aligned with those of the zoned school.

**Assessment, Grading, Diploma**

All virtual pathway students will participate in all state testing and accountability requirements. Student is required to participate at their school enrollment on days identified by Jefferson County Schools.

Upon satisfying all public school graduation requirements (WVBE Policy 2510, Assuring Quality Education: Regulations for Education Programs, [http://wvde.state.wv.us/policies/policy.php?p=2510&alt=1](http://wvde.state.wv.us/policies/policy.php?p=2510&alt=1)), students enrolled in the virtual program will receive a high school diploma from Jefferson County Schools.

Any virtual program course taken for high school credit, regardless of the grade in which the course was taken, will be entered onto the student transcript and calculated in Grade Point Averages, etc.

Jefferson County’s dual credit policy applies to virtual program.

Course grades assigned to a student’s transcript must follow the WV Uniform Grading Scale found in WVBE Policy 2510 Section 5.4.d.

**Removal**

Students may be transitioned back to a traditional school program or removed from the virtual program for the following reasons:

- Not maintaining a 60 percent in each course

- Progression through coursework falls below the minimum comparable tradition course standard

- Attendance requirements are not met for students in blended program (only applicable to face-to-face courses)

- Cheating, falsifying information, plagiarizing

- School system policies, procedures, rules or regulations are violated, including
rules governing the use of technology

Student Support

☐ Face to face tutoring will be provided at the Adult Education Center, 401 Fairfax Blvd. Charles Town, WV 25414 a minimum of 1 day per week during the first quarter (9 weeks) with individualized follow up based on student performance

☐ IEP committees will meet to determine the most appropriate least restrictive environment and the most reasonable accommodations

☐ ELL committees will meet to determine the most reasonable accommodations

Counseling and Guidance Services

Jefferson County Schools will utilize personnel to assist with academic, career, and social needs as they arise. In conjunction with school counselors, students will be assisted with developing an educational plan based on transcripts, standardized assessments, career interests, and other pertinent data. The plan will be reviewed periodically to assess its appropriateness and progress toward completion.

Student Responsibilities

Students should spend the first days making sure they are comfortable with the technology of online learning and they are capable of mastering the content. Students are responsible for maintaining reliable, daily access to internet. Computer/internet problems will not be accepted as reasons for delays in meeting deadlines. Only through continuous communication and consistent work can students be successful in an online course. It is essential that students maintain regular contact with their instructor and submit assignments on time. Students must let the administrator for virtual school know immediately if he/she needs courses on the NCAA approval list.

Technology

Jefferson County Schools will provide a compatible electronic device (laptop) sufficient to meet the technical requirements for the online program. Parents are responsible for signing a technology agreement to reimburse JCS for any theft/loss/damage. Jefferson County Schools’ technology department will provide/maintain necessary equipment (laptop) through reasonable use. Reliable, daily internet access is the responsibility of the family.

☐ Parents and students must sign Technology/Acceptable Use policy. Violations will result in removal from the virtual education program

☐ Parents are responsible for monitoring of adherence to the Technology Use policy

☐ JCS will report violations to applicable law enforcement

Homeschool/Non Public School Students

Homeschool and nonpublic school student who enroll in virtual program course are subject to same registration, attendance and policies as public school students.

Homeschool and nonpublic school students may not enroll in virtual school courses without affecting their attendance exemption. Any homeschool or nonpublic school
student who wishes to enroll in the virtual program must duly enroll as a full-time student at the appropriate high school/middle school. Homeschool and nonpublic school student wishing to participate in WVSSAC interscholastic activities and events must meet eligibility requirements as set forth by WVSSAC rule.

**Note: Course Codes**

When entering course codes for Virtual Courses use the following letter in the 5th position of the course code.

V-Courses taken through the West Virginia Virtual School

Q-Courses provided from a county selected vendor outside the West Virginia Virtual School

### 7.0 Comprehensive School Counseling Program

**I. Purpose**

A. JCS Comprehensive School Counseling Program defines the core components of the CSCP in Jefferson County Schools, including the state’s established West Virginia Student Success Standards (WVSSS).

**II. Comprehensive School Counseling Program Description**

A. The CSCP is an integral part of the total school program and is aligned with the school’s mission. The CSCP is a proactive, systemic approach to assist students with the acquisition of attitudes, knowledge, skills and behaviors necessary to maximize student success and preparation for a variety of postsecondary options. The CSCP provides universal prevention for all students, targeted interventions for at-risk students and intensive interventions for the most at-risk students. The CSCP is standards-based, designed to developmentally and sequentially address the WVSSS within each programmatic level. The CSCP utilizes school and community data to identify student needs in relation to the CSCP and to set annual priorities for the WVSSS. A certified school counselor, in collaboration with school and community stakeholders, will develop an Annual CSCP Plan in order to coordinate and implement a CSCP designed to address student needs. The CSCP contains four distinct delivery systems.

**III. Delivery Components of Comprehensive School Counseling Programs**

A. This section defines components of Jefferson County Schools’ standards-focused and evidence-based CSCP to be monitored by county and school leadership. Delivery components include:

1. **Personalized Student Planning** – Personalized student planning includes providing opportunities for students to discover their interest in emerging careers. Ongoing opportunities at all programmatic levels are provided during the school day for career
exploration and self-discovery. Personalized planning allows students to develop academic skills, identify interests, maximize strengths, minimize weaknesses, set and reach personal/educational goals and realize their career aspirations. A Personalized Education Plan (PEP) is developed collaboratively, involving students, parents/guardians and school staff.

2. During the 8th grade year, each student’s PEP is developed to identify course selections for the 9th and 10th grade based on each student’s identified career aspirations. Prior to development of the PEP, the school shall provide ongoing opportunities during the school day for career exploration and self-discovery involving student needs assessments, career and interest inventories, learning style inventories, self-reflections and career inquiry. When finalizing the PEP, the counselor and/or student advisor will meet with the student and parents/guardians to secure signatures documenting involvement. The student and parents/guardians are provided a copy of the PEP.

3. During the 9th grade and each subsequent year each student reviews and updates his or her PEP in collaboration with the school counselor, teachers, advisors and parents/guardians. Review of the PEP will include academic offerings, career plans, review of various interests, learning styles, career and academic assessments (e.g., ACT EXPLORE, interests and learning styles inventories, aptitude tests, multiple intelligence inventories) to guide changes to course selections.

4. During the 10th grade year the second phase of the PEP is developed. Students identify course selections for grades 10-12 and postsecondary plans for the first year after high school. To assist with development of the three-year PEP, the school will provide ongoing opportunities during the school day for career exploration and self-discovery involving completing student needs assessments, career and interest inventories, learning style inventories, self-reflections and multi-faceted opportunities for career inquiry. Each student’s individual assessments will be reviewed to ensure academic planning maximizes individual strengths and interests. Career exploration and planning and the development of the PEP is a shared responsibility between the school counselor, teachers, advisors and parents/guardians.

5. The PEP is reviewed annually in grades 9-12 with the student and his or her parents/guardians and is signed and dated during each annual review conference. Students may amend his or her PEP at the end of any semester as long as it does not interfere with the completion of graduation requirements based on availability of courses.

B. Responsive Services – Responsive services offer preventive activities and programs to address the identified needs of students in each school, as well as evidence-based interventions to address targeted student needs. The services include working with at-risk students to provide the help and support needed to ensure grade level success. Usually short-term in nature, responsive services include individual and small group counseling;
academic and behavior intervention plans, crisis prevention and response; consultation with parents/guardians and other school staff; and referrals to school and community resources. Some students may require an immediate and expert response to assist with an academic, emotional or behavioral crisis of a severe nature. In cases where students require ongoing support or therapy, the counselor makes appropriate referrals and works with families to secure appropriate resources within the school or community. Schools identify who will coordinate and follow-up on each referral. The school counselor collaborates with stakeholders to create a school-wide, prevention-based approach to individual and school crises and has a crisis plan in place to address the mental health component of common school-wide crises. The school crisis team educates other stakeholders to assist with school-wide crisis preparedness, prevention, intervention and response, outlining responsibilities and best practices in the school crisis planning and response.

C. Student Supports – The student support component of the CSCP consists of a systemic, coordinated approach of developing and implementing programs and activities within the school and community aimed at supporting the success of all students. High quality education programs provide well-designed student support systems, ensuring that the learning environment is safe and supportive and that the academic, social and emotional, and career development needs of students are identified and addressed. The school counselor collaborates with stakeholders to ensure school-wide coordination of the CSCP and other student support programs. Schools design and identify programs and resources that address identified student needs and enhance the success of each child. Additionally, students and families may seek support to address their unique academic, career and personal-social needs.

IV. Program Monitoring

The CSCP is monitored by the county board of education, and each school’s principal evaluates the school counselor in accordance with WVBE Policy 5310.

V. Incorporation by Reference

Copies of the West Virginia Standards for Student Success can be obtained in the Office of the Secretary of State and in the WVDE, Office of Secondary Learning and the WVDE website under State Board Policies.

8.0 State-Wide Assessment Program

State-county testing is administered to all students in the grades designated by the state as outlined in WVDE Policy 2340.

9.0 Co-curricular and Extra-curricular Activities
9.1 Co-curricular Activities

Student activities, clubs, and organizations are designed to supplement the regular instructional program. Generally speaking, student activities should be student initiated, student run, and disbanded when student interest wanes to the point where membership does not constitute adequate numbers to achieve the purposes of the activity. However, all student activities, clubs, and organizations that function under the auspices of the school system shall be supervised by faculty sponsors or chaperones.

All activities must have voluntary membership and pressure is never to be exerted in an attempt to influence membership. Anyone regularly enrolled as a full-time student shall be eligible to apply for membership in any recognized and sanctioned activity. Secret organizations when discovered shall be ordered to cease and desist.

All students enrolled in a given school within the county shall, regardless of race, color, national origin, religion, language, sex or handicapping condition, be eligible for participation in co-curricular activities.

9.2 Interscholastic Athletics

The principal is responsible for the overall program of the school. However, he/she may delegate the administration of the athletic program to the athletic director -- with the exception of the financial management that will be retained by the principal.

9.2.1 Opportunity

All sports programs are to be considered of equal importance and expected to adhere to WVDE Policy 2436.10 and WVSSAC rules. A variety of programs should be offered for the benefit of participants. Trying out for a sport must be open to all students and must be a matter of the student's choice.

9.2.2 Player Eligibility - School Standards (i.e., academic, attendance, etc.)

All activities must abide by the rules established by the West Virginia Secondary School Activities Commission.

9.3 Bus Use

The sponsor of all school activities held away from home shall be responsible for returning all participants to the school after such events. All students must return on the bus except a parent/legal guardian may pickup his/her child after an event by providing the coach/sponsor/teacher/administrator in charge with a written request.
Chapter 8 Students

Goals and Objectives

1. Purpose

We believe each student should be given every opportunity to become a productive, contributing member of our society.

2. Equal Educational Opportunity

No student of school age residing in Jefferson County shall be refused admission, by the Board or any of its agents, to any public school within the County on the basis of sex, race, color, religion, handicapping condition, marital status, or national origin in its educational programs and activities. Inquiries may be directed to the Title IX Coordinator or the Section 504 Coordinator, Jefferson County Board of Education, 110 Mordington Avenue, Charles Town, WV 25414; to the State Elimination of Sex Discrimination Project Coordinator, to the State Section 504 Coordinator, West Virginia Department of Education, Charleston, WV 25305; or to the U. S. Department of Education’s Director of the Office of Civil Rights, 600 Independence Avenue, SW, Washington, D.C. 20202-2516.

3. School Entrance Age

Pre-K Entrance Age

Effective the 2018-2019 school year, children must attain the age of four prior to July 1 in order to enroll in Pre-K.

3.1 Kindergarten Entrance Age

This policy should be construed as one designed to make accommodations for early admittance, not as a policy of early entrance. In compliance with West Virginia Code §18-8-1a, children who reach the age of five prior to September 1 will be admitted to kindergarten. (Effective the 2019-2020 school year, children must attain the age of five prior to July 1 in order to enroll in kindergarten.) An exception may be made in unusual circumstances recognizing factors of social and academic readiness.

Exceptions:

A. Children born on or after September 1 but prior to September 16.

For consideration of early admittance to kindergarten, the following criteria must be met:

1. Testing for eligibility of students covered by this exception should be completed prior to August 15. The exception will be that of a child who has moved into Jefferson
County after spring screening.

2. The child must have a valid state certified birth certificate or submit an affidavit of birth until a certified birth certificate is obtained.

3. The child must have completed all immunization requirements before entering school.

4. As part of the referral, the parent must submit the child’s name to the Office of Pupil Services and participate in a pre-assessment conference.

5. Qualified Jefferson County personnel will individually administer a standardized comprehensive measure of development skills. The child should score at or above the ninety-fifth percentile when compared to age norms appropriate to a child who would be five years old prior to September 1.

6. The parents will be notified by mail of the decision.

7. Upon notification of the decision, a parent who wishes to appeal the decision must file an appeal request within one week.

3.2. School Entrance Age – Grade One

In compliance with the West Virginia Code § 18-8-1a, children who have not completed kindergarten or who have not reached the age of six will not be permitted to enter first grade except in the following instance:

Children who have completed a state approved kindergarten in other states, or this state, which permit kindergarten at a younger age.

To be eligible for first grade, children who have reached the age of six prior to September one and who have not completed a state approved kindergarten must score at or above the fortieth percentile on all sub-tests of an appropriate standardized test of first grade readiness skills. The administrator in charge of testing will select a teacher or other qualified professional personnel to administer the test. Legal Reference: WV School Law § 18-8-1a

4. Student Data/Records

The Board will comply with State Board Policy 4350 “Procedures for the Collection, Maintenance and Disclosure of Student Data” and all applicable state and federal laws, policies and regulations. Jefferson County School’s designated contact person is the Attendance Director.
5. **Student Transfers**

**Assignment to Schools**

Students shall attend the attendance area (elementary or secondary) in which they reside. A request for an exception to this policy by the custodial parent/legal guardian of a student must be submitted annually to the principal of the school to which the custodial parent/legal guardian wishes to transfer the child and to the superintendent of schools or his/her designee for approval or denial.

In the absence of other prohibitive and/or unusual circumstances, i.e., unusually small classroom size, classroom with high numbers of mainstreamed students, the prior rescission of a student’s out-of-district transfer for unacceptable behavior or failure to attend school regularly, etc., a transfer for Jefferson County students will only be granted into schools that are below 85% capacity in grades K-8. Transfers will only be allowed until the school reaches 85% capacity regardless of individual grade level capacity. There will be no transfers considered for grades 9-12. Regardless of overall school capacity, transfers will be restricted to the following class size limits; 18 students in Kindergarten, 20 students in grades one through three; 23 students in grades four through six and 25 students in grades seven and eight. The Superintendent retains the authority to administratively place students to balance class sizes within WV Code.

Permission to transfer a child eligible for any kind of special education will be dependent on whether or not the service(s) required by the child are available at the school to which the parent wishes to transfer the child, and whether or not the transfer would cause non-compliance with State Policy 2419. If such requests are approved, it will be the responsibility of the custodial parent/legal guardian to provide transportation.

Approval for any child to attend a school outside the attendance area in which he/she resides will be contingent upon all outstanding debts (such as child nutrition, lost or damaged library books, textbooks, etc.) being paid and the custodial parent/legal guardian signing a statement which indicates he/she understands his/her child may be transferred back to his/her attendance area at such time as his/her transfer causes non-compliance with Policy 2510, West Virginia Code § 18-5-18a, and/or State Policy 2419.

Should a student exhibit unacceptable behavior or fail to attend school regularly, his/her transfer will, upon the recommendation of the school principal and the approval of the superintendent, be rescinded. If a student’s out-of-district transfer is rescinded for unacceptable behavior or failure to attend school regularly, permission to transfer into any other school within the district (at the same
Students who qualify for placement in an application program (example: ROTC, WHS Teacher Preparation) will be considered as part of the native population for that school, will not be required to apply for “transfer”, and will be provided transportation on existing transportation routes within the attendance boundary of that school. Any employee of the Jefferson County Board of Education who is the parent/legal guardian of a child may request assignment/enrollment of their child to the school location of their choice. Requests must be received by December 1st and renewed annually. These students will be added as part of the school’s resident population and are not considered “transfers” and transportation will be provided on existing transportation routes within the attendance boundary of that school. Any employee failing to meet the December 1st deadline may apply for transfer, but will be given no preference. Employee assigned/enrolled children must meet the same behavioral/financial/attendance criteria as transfer students to maintain this benefit.

Jefferson County Schools will calculate school capacity annually after December 1st and post a public list of schools available for transfer to parents on the website and at each school. This list will be posted annually by the 1st business day in January for review.

The criteria for transfer are:

1. The requested destination school must be below 85% total capacity (i.e.: on the publicly posted list of schools available for transfer). No transfer requests will be accepted at the 9th -12th grade level.

2. The student must be a resident of Jefferson County.

3. The custodial parent’s/legal guardian’s application must be received on or before January 31 for grades Kindergarten through eighth grade prior to the school term for which the request is being made.

4. The day care provided (verification required) is located in the attendance area of the school requested.

5. Transfer applications will be considered in chronological order solely based on date/time of application and acceptance will cease when the school reaches 85% total capacity regardless of individual grade capacity.

Due to overcrowded conditions, out-of-county transfers will be approved on a limited case-by-case basis.

To verify residency in a school attendance area, the parent/legal guardian must submit a current utility statement when requested.

Out of state transfer requests require Board approval and principal approval. Attendance may commence only upon verification of paid tuition (annually determined based on per pupil cost) by finance.

Transportation will NOT be provided to transfer students attending out of their attendance zone.
**Students with an approved transfer as of 1/3/2017 will be “grandfathered” at JCS schools, including those exceeding the 85% capacity and maintain their transfer status to complete their education at that facility provided they continue to meet the behavioral/financial/attendance requirements. Enrollment of these students will NOT grant preferred status to siblings seeking transfer nor will the 85% capacity be expanded to accommodate siblings. The placement of a student in a special education or other specialized program within a school does not confer preferred status for siblings for placement.

6. Attendance

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

6.1. Definitions

6.1a. Absence - Not being physically present in the school facility for any reason.

6.1b. Allowable Deductions for Schools - Beginning with the 2016-2017 school year, the only allowable deductions that result from school approved curricular/co-curricular activities are, failure of the bus to run/hazardous conditions, students not in attendance due to disciplinary measures and school/county directed placements outside the traditional classroom environment including but not limited to homebound placement and in-school suspension.

6.1c. Attendance – For statistical purposes, attendance will be reported and aggregated to the nearest half day according to the definitions in sections 6.1.d. and 6.1.e.

6.1.d. Full-day attendance means being present at least .74 of the school day.

- Perfect Attendance is being present every day at least .74 of the school day.
- Faithful Attendance is not being absent more than five days during the year.

6.1.e. Half-day attendance means being present at least .50 of the school day.

6.1f. Attendance Rate – The number of days present divided by the number of days of membership, multiplied by one hundred, equals attendance rate for students on the attendance registers in grades K-12.

6.1g. Dropout – A dropout is an individual who:
6.1.g.1. was enrolled in school at some time during the previous school year and was not enrolled on October 1 of the current school year; or

6.1.g.2. was not enrolled on October 1 of the previous school year although expected to be in membership (i.e., was not reported as a dropout the year before); and

6.1.g.3. has not graduated from high school, obtained a Test Assessing Secondary Completion (TASC) diploma, or completed a state- or district-approved education program; and

6.1.g.4. does not meet any of the following exclusionary conditions:
   a. transfer to another public school district, private school, home school, or state- or district-approved education program;
   b. temporary school-recognized absence due to suspension or illness; or
   c. death.

6.1.h. Dropout Date – The school day after the dropout’s last day of attendance.

6.1.i. Enrollment - A student is officially enrolled when one of the following conditions occur:
   a. student was enrolled the previous year;
   b. student appears at school to enroll with or without a parent/guardian; or
   c. student and/or parent/guardian appear(s) at school to enroll with or without records.

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

7. Excused Student Absences – Excused Student Absences include:

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

7.2. Personal illness or injury of the student.

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

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

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

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

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

7.8. Calamity, such as fire or flood.

7.9. Death in the family.

7.10. Judicial obligation or court appearance involving the student.

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

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

7.13 Leaves of Educational Value adhering to these stipulations:
- Prior approval of school administrator (a minimum of forty-eight hours prior to the absence).
- Prior submission and approval of education plan detailing and activities.
- Leave not to exceed ten days and verification implementation of the education plan upon student’s return, or
- Leave to extend more than ten days requires county board approval.

Parents should be warned that extended leave is not a wise practice and could be detrimental to the student’s academic achievement. Furthermore, no teacher will be required to provide free tutoring for the student.

Such other situations as may be further determined by the county board: Provided, that absences of students with disabilities shall be in accordance with the Individuals with Disabilities Educations Improvement Act of 2004 (IDEA) and the federal and state regulations adopted in compliance therewith.

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

- West Virginia Code §18-8-4 Jefferson County School’s excused absences are include:
  * Personal illness or injury of the student, illness of student must be verified in writing or by email (but no telephone calls) by custodial parent/guardian, adult student or emancipated minor not to exceed 5 days per semester. The reviewing administrator may require documentation by a physician if absences exceed three consecutive days.
  * Personal illness or injury of the student’s parent, guardian, custodian, family member; provided, that the excuse must provide a reasonable explanation for why the student’s absence was necessary and caused by the illness or injury in the family; Provided, however, that the principal may request additional documentation including, but not limited to, a statement from a medical, osteopathic or chiropractic physician, physician’s assistant, or nurse practitioner confirming the existence of the family member’s illness or injury;
  * Medical and/or dental appointment which cannot be scheduled outside the school day when the absence is verified, in writing, by the physician or dentist;
  * Chronic medical condition or disability that impacts attendance;
  * Participation in home or hospital instruction due to an illness or injury or other extraordinary circumstance that warrants home or hospital confinement;
  * Calamity such as fire or flood;
  * Judicial obligation or court appearance involving the student with verification;
  * Military requirements for student enlisted or enlisting in the military;
  * Death in the family is limited to three days for each occurrence except in extraordinary circumstances;
  * School approved extracurricular activities;
  * Observance of religious holidays;
  * Personal or academic circumstances approved by the principal up to five (5) days per semester.
  * Leaves of Educational Value adhering to these stipulations.
- Prior approval of school administrator (a minimum of forty-eight hours prior to absence).
- Prior submission and approval of education plan detailing objective and activities.
- Leave not to exceed ten days and verification of implementation of the education plan upon student’s return, or
- Leave to extend more than ten days requires county board approval. Parents should be warned that extended leave is not a wise practice and could be detrimental to the student’s academic achievement. Furthermore, no teacher will be required to provide free tutoring for the student.

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

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

A. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;

B. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

C. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

D. migratory children who qualify as homeless because the children or youth are living in circumstances as described in the above descriptions.

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

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

- Enroll, attend classes, and participate fully in all school activities while the school arranges for the transfer of records;

- Have access to the same programs and services that are available to all other students including transportation and supplemental educational services;

- Attend school with children not experiencing homelessness; segregation based on the student’s status as homeless is prohibited.

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

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

11. §126-81-5. Responsibility

Each county board of education shall:

11.1. employ a certified county director of school attendance as required by W. Va. Code §18-8-3.

11.2. support and require the county attendance director to implement and execute the duties as defined in W. Va. Code §18-8-4:

   a. The county attendance director and his/her assistants shall diligently promote regular school attendance. They shall ascertain reasons for unexcused absences from school of students of compulsory school age and students who remain enrolled beyond the compulsory school age birthday and take such steps as are, in their discretion, best calculated to encourage the attendance of students and to impart upon the parents and guardians the importance of attendance and the seriousness of failing to attend school regularly.

   b. In the case of three (3) total unexcused absences of a child during the school year, the attendance director or his/her assistant may serve written notice to the parent, guardian, or custodian of the student that the attendance of the student at school is required, and that if the student has five (5) unexcused absences, a conference with the principal or other designated representation will be required.
c. In the case of five (5) unexcused absences, the attendance director or assistant shall serve written notice to the parent, guardian, or custodian of the student that within five (5) days of receipt of the notice the parent, guardian, or custodian, accompanied by the student, shall report in person to the school the student attends for a conference with the principal or administrative head or other chief administrator of the school in order to discuss and correct the circumstances causing the unexcused absences of the student, including the adjustment of unexcused absences based upon such meeting.

d. In the case of ten (10) total unexcused absences of a student during the school year, the attendance director or assistant may make complaint against the parent, guardian, or custodian before a magistrate or the county. If it appears from the complaint that there is a probable cause to believe that an offense has been committed and that the accused has committed it, a summons or a warrant for the arrest of the accused shall be issued to any officer authorized by law to serve the summons or to arrest persons charged with offenses against the state. More than one parent, guardian or custodian may be charged in a complaint. Initial service of the summons or warrant issued pursuant to the provisions of W. Va. Code §18-8-4 shall be attempted within ten (10) calendar days of the receipt of the summons or warrant and subsequent attempts at service shall continue until the summons or warrant is executed or until the end of the school term during which the complaint is made, whichever is later.

e. When calculating unexcused absences for the purpose of making complaints against a parent, guardian, or custodian before a magistrate, unexcused absences resulting from suspensions or expulsions from school shall not be considered.

f. The magistrate court clerk, or the clerk of the circuit court performing the duties of the magistrate court as authorized in section eight (8), article one (1), chapter fifty (50) of this code (§50-1-8), shall assign the case to a magistrate within ten (10) days of execution of the summons or warrant. The hearing shall be held within twenty (20) days of the assignment to the magistrate, subject to lawful continuance. The magistrate shall provide to the accused at least ten (10) days’ advance notice of the date, time and place of the hearing.

g. When any doubt exists as to the age of the student absent from school, the attendance director has authority to require a properly attested birth certificate or an affidavit from the parent, guardian, or custodian of the student, stating age of the student. In the performance of his or her duties, the county attendance director has authority to take without warrant any student absent from
school in violation of the provisions of this article and to place the student in the school in which he or she is or should be enrolled.

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

12. Homebound/Hospital Services

12.1. Students who, due to injury or illness as certified in writing by a licensed physician who specializes in the health condition that may temporarily confine a student to home or hospital for a period that has lasted or will last more than three consecutive weeks, will receive home/hospital services. The written statement from a licensed physician must include:

   12.1a. The specific reasons and period of time that the student must remain at home or in the hospital; and
   12.1b. The criteria or conditions under which the student will return to school, and the expected date of return.

12.2. A written statement by a licensed physician who specializes in the health condition must be resubmitted at least every three months if a student’s temporary home/hospital instruction is prolonged.

12.3. The county board of education may require that the parent and/or guardian obtain an opinion from a second licensed physician who specializes in the health condition at the expense of the county board.

12.4. Home/hospital services must be designed to provide the student adequate opportunity to continue learning toward mastery of grade level content standards and objectives while they are temporarily confined to home or hospital. These services may not replace full time instruction on an ongoing basis. The expectation is that students will return to the regular classroom.

12.5. Jefferson County School’s process for the delivery of home/hospital services is set forth in its Standard Operating Procedures at SOP 7.13 (a, b, and c Homebound-Hospital Program and Forms) and other such rules that may be established by the Jefferson County Superintendent of Schools.

12.6. Since home/hospital services are temporary in nature, the home/hospital teachers are responsible for facilitating instruction only for approved content standards and objectives for core courses (i.e., English language arts, mathematics, science and social students). The home/hospital services are guided by the student’s classroom teacher(s); consequently, the home/hospital teacher must be in regular contact with the classroom teacher(s) to:
12.6.a. Secure and understand units/lessons, instructional plans and instructional resources (including approved online and virtual options), and
12.6.b. Establish procedures for the collection and return of student work to the classroom teacher(s) for feedback and assessment.

12.7. Home/hospital services, provided for an exceptional student who is unable to attend school temporarily because of an injury, illness or health condition requires a change in the student’s placement to Out-of-School Environment (hereinafter OSE) as defined by W.Va. 126CSR16, WVBE Policy 2419; Regulations for the Education of Students with Exceptionalities (hereinafter WVBE Policy 2419), Section 5.1.5.g.E. The change of placement to OSE must be addressed by the student’s IEP Team and implemented in accordance with the requirements of WVBE Policy 2419.

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

Rationale

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

13.2. Definitions

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

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

13.2c. Satisfactory Academic Progress – attaining and maintaining grades sufficient to allow for graduation and course-work in an amount sufficient to allow graduation in five years or by age nineteen, whichever is earlier (beginning with the completed 2008-09 school year).
13.2.c.1. This would calculate in the minimum annual earning of five credits to allow graduation in five years based on the graduation requirements set forth in §126CSR42, WVBE Policy 2510: Assuring the Quality of Education, Regulations for Education Programs.

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

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

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

13.3.b. Suspension pursuant to W. Va. Code §18A-5-1a and §18A-5-1b which include the following behaviors when committed on the premises of an educational facility, at a school-sponsored function, or on a school bus:
   a. assault and/or battery on school employees,
   b. possessing deadly weapons,
   c. sale of a narcotic drug,
   d. committing an act or engaging in conduct that would constitute a felony under West Virginia Code if committed by an adult, and/or
   e. unlawfully possessing a control substance governed by the uniform controlled substances act as described in W. Va. Code §60A-1.1 et seq.

13.4. Responsibility

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

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

13.5. The Jefferson County Board of Education shall:

13.5.1. support and require the county attendance director and all school administrators to implement and execute the duties defined in W. Va. §126CSR81, WVBE Policy 4110: Attendance.
13.5.2. incorporate the appropriate components of this rule into existing county attendance, expected behaviors and academic requirement policies respectively.

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

a. provide, upon request, a Driver’s Eligibility Certificate on a form (hard-copy or electronic) approved by West Virginia Department of Education (hereinafter WVDE) to any student at least fifteen but less than eighteen years of age who is in satisfactory standing with regard to attendance, behavior and academic progress in a school under the jurisdiction of the official for presentation to the WVDMV on application for or reinstatement of an instruction permit or license to operate a motor vehicle.

b. provide notification to the WVDMV whenever a student at least fifteen but less than eighteen years of age withdraws from school, is suspended pursuant to W. Va. Code §18A-5-1a and §18A-5-1b and/or fails to maintain satisfactory academic progress, except when the withdrawal or failure to make satisfactory academic progress is due to circumstances outside the control of the student. Notification must be provided to the WVDMV no later than five days from the date of the withdrawal and/or suspension. Notification must be provided to the WVDMV no later than five days from the end of the school year for failure to maintain satisfactory academic progress.

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

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

a. reinstatement requests related to withdrawal for unexcused absences shall be reviewed, as outlined in W.Va. §126CSR81, WVBE Policy 4110: Attendance, at the end of the semester following that in which the withdrawal occurred.
b. reinstatement requests related to failure to make satisfactory academic progress shall be reviewed at the end of each school year for the purpose of reinstating the Driver’s Eligibility Certificate.

c. reinstatement requests related to withdrawal for suspension pursuant to W. Va. Code §18A-5-1a and §18A-5-1b shall be reviewed after all disciplinary sentences have been served for the purpose of reinstating the Driver’s Eligibility Certificate.

14. Withdrawals

A student transferring or withdrawing from school for any reason shall notify his counselor or principal and follow the withdrawal procedures established by the student’s school.

15. Class Assignments

15.1. Promotion/Retention Policy Grades Kindergarten through Five

The decision to promote or retain a student is one of the most important for this school system. The decision to promote or retain shall be made with the long-term interest of the student in mind to provide the optimum opportunity to be successful in future educational endeavors.

Promotion is recognition of the capability of the student to satisfactorily continue on to the next level of instruction. Retention should only occur when it is apparent that the future academic success of the student is in doubt and when, in the opinion of the classroom teacher, the student would not succeed with a more advanced level of instruction. The individual needs and learning styles of each student should be taken into consideration; and each student should be taught in a developmentally appropriate manner, which may include reteaching, whether the student is retained or promoted.

Parents and/or guardians should be involved as early as possible, particularly when the student is not making adequate progress. Parents and/or guardians should be encouraged to work with classroom teachers and support intervention strategies to improve student performance.

The decision to retain rests ultimately with the classroom teacher; however, parents and/or guardians, building principal or other teachers play an integral role in the planning and implementing of this decision.

The superintendent shall develop strategies to implement this policy.

15.2. Promotion/Retention Policy Grades Pre-K through Twelve

Pre-K

After completion of one year of Pre-K, placement for the following year may require a meeting of the following:

The Placement Decision Team may include the following: School Psychologist, Pre-K Teacher, Receiving (Kindergarten) Teacher, Parent, Principal or Designee, and the Preschool IEP Compliance Specialist,
Coordinator of Elementary Education or designee, Preschool Specialist, Family Service Specialist (if child is enrolled in Head Start), and Related Service Provider (Speech, OT, PT, etc.).

The Placement Decision Team must review the data, as outlined in county procedures to determine appropriate placement.

Pre-K Placement Procedures must be followed in regards to parent notification timelines.

Placement decisions are not to be made based on available services in Kindergarten.

Kindergarten services will be provided according to the child’s needs and requirements outlined in the IEP, if applicable.

All students in grades six through twelve in Jefferson County shall be assigned to a grade level based upon the following minimum number of classes passed (grades six, seven, and eight) or credits earned (grades nine, ten, eleven, and twelve):

- To be assigned to grades seven through nine, all students should pass five classes in the previous grade, four of which must be language arts, reading, math, and either science or social studies.

- The school-based Student Assistance Team (SAT) will determine whether to promote or retain students in grades six to eight who do not pass the required number of classes.

- After spending two years in the sixth, seventh or eighth grades and yet not being successful in passing the required number of classes, the student’s records shall be reviewed and the student may be assigned and not promoted to the next grade level.

- Students entering high school will be promoted according to the following credit requirements:

  - To be assigned to the tenth grade, all students must earn five credits in the ninth grade. (Refer to secondary grading policy for interpretation of credits.)

  - To be assigned to the eleventh grade, all students must have accumulated a total of eleven credits earned in the ninth and tenth grades.

- To be assigned to the twelfth grade, all students must have seventeen credits and be eligible to graduate in June. (Refer to secondary graduation requirement policy for interpretation of graduation requirements.)
16. Medication Administration

Purpose.

1. Good health and safety are essential to student learning. The administration of medication to students during the school day should be discouraged unless absolutely necessary for the student’s health. This policy establishes the standards that must be followed when any medication is required to be administered during attendance at school or school related events as defined herein and to provide for emergency medication administration, when necessary.

2. An objective of this medication administration policy is to promote individual responsibility. This can be achieved by educating students and their families.


1. These regulations apply to school nurses, administrators, other authorized school employees, contracted school nurses, and contracted licensed health care providers (as specified in W. Va. Code §18-5-22a) administering medication to students in the West Virginia public school system.

2. County boards of education shall develop or amend medication administration policies to meet or exceed the standards set forth in W. Va. Code §18-5-22a as well as the components set forth in this policy.

3. The West Virginia Department of Education (WVDE) may issue and periodically update advisories to provide guidance on the administration of medication to students in the West Virginia public school system.

4. This policy shall not impact the operating procedures of School Based Health Centers. It is not the intent of this policy to interfere with existing policies and procedures of health care providers managing School Based Health Centers.


1. “Administration of medication” means a health care procedure that provides medication by mouth, topically, or by another route as designated by written or standing orders from a licensed prescriber.

2. “Administrator’s designee” means an employee (excluding the school nurse or contracted provider of nursing services) who is designated by the building administrator, is trained to administer non-prescribed over-the-counter (OTC) medication, and agrees to administer non-prescribed OTC medications when county policy allows such practice.

3. “Designated qualified personnel” means an employee or contracted provider who agrees to administer prescribed medications, is authorized by the administrator/principal, successfully
completes training by the certified school nurse as defined in West Virginia Board of Education (WVBE) Policy 2422.7, Standards for Basic and Specialized Health Care Procedures (126CSR25A), hereinafter Policy 2422.7, and is qualified for the delegation of the administration of prescribed medications by the certified school nurse. Designated qualified personnel must also meet the specifications in W. Va. Code §18-5-22 (d) and (e) which includes delegation of specialized health care procedures and medications to teachers, aides and secretaries (medication only).

4. "Fluoride Rinse Program” means a program offered by the West Virginia Department of Health and Human Resources (WVDHHR), Bureau for Public Health (BPH), Office of Maternal, Child and Family Health (OMCFH), Oral Health Program, Children’s Dentistry Project. The Fluoride Rinse Program is the most cost effective and least expensive way to reduce dental decay on a group or community basis. The program is developed for students in grades k-6 with parental/guardian permission and with close adult supervision to assist in the prevention of swallowing of rinse solution. The fluoride rinse is a 0.2 % sodium fluoride solution administered once a week for 30 weeks. The WVDHHR/BPH Instructions for Conducting the Fluoride Rinse Program may be found at www.dhhr.wv.gov/oralhealth.

5. Licensed health care provider means an allopathic physician or an osteopathic physician, podiatrist, registered nurse, practical nurse, advanced practice registered nurse, physician assistant, dentist, optometrist, pharmacist or respiratory care professional licensed under W. Va. Code §30-7-1, et seq.

6. “Licensed prescriber” means licensed health care providers with the authority to prescribe medication as per their scope of practice.

7. “Long-term and Emergency Prescribed Medication” means medication ordered by a licensed prescriber that is used to treat acute and chronic health conditions including both daily and PRN (as needed) medication.

8. “Medication Authorization Form” means a form, inclusive of an order for prescribed medication, completed and signed by a licensed prescriber with a parent/guardian signature of permission in order to authorize medication administration to said parent’s/guardian’s child. The form must include the following: student name; date; allergies; medication name, dosage, time and route; intended effect of medication; other medication(s) taken by student; licensed prescriber and parent/guardian signature.

9. “Medication document” means the individual medication record or medication log used to record the administration of medication to a student.

10. “Non-prescribed Medication” means medication and food supplements that have been approved by the Food and Drug Administration and may be obtained OTC without a prescription from a licensed prescriber.

11. “Prescribed Medication” means medication with a written order signed by a licensed prescriber.
12. “School Nurse” is defined as a registered professional nurse, licensed by the West Virginia Board of Examiners for Registered Professional Nurses (W. Va. Code §30-7-1, et seq.), who has completed a WVDE approved program as defined in WVBE Policy 5100, Approval of Educational Personnel Preparation Programs (126CSR114) and meets the requirements for certification contained in WVBE Policy 5202, Minimum Requirements for the Licensure of Professional/Paraprofessional Personnel and Advanced Salary Classification (126CSR136). The school nurse must be employed by the county board of education or the county health department as specified in W. Va. Code §18-5-22.

13. “School-related event” means any curricular or co-curricular activity, as defined in WVBE Policy 2510, Assuring the Quality of Education: Regulations for Education Programs (126CSR42), that is conducted outside of the school environment and/or instructional day. Examples of co-curricular activities include the following: band and choral presentations; theater productions; science or social studies fairs; mathematics field days; career/technical student organizations' activities; or other activities that provide in-depth exploration or understanding of the content standards and objectives appropriate for the students' grade levels.

14. “Self-administration” means medication administered by the student under the approval, assessment and supervision of the school nurse with a licensed prescriber order and parent/guardian permission. The self-administration of prescribed medication may also include medication taken by a student in an emergency or an acute situation (e.g., rescue inhaler, epinephrine, diabetic medication, etc.).


Authorized personnel include trained school nurses, other licensed health care providers, administrators, teachers, aides and secretaries as defined in W. Va. Code §§18-1-1, 18A-4-8 and 18-5-22.


Role of the school administrator(s)/principal(s).

a. Provide for appropriate, secure, and safe storage and access of medications.

b. Provide a clean, safe environment for medication administration.

c. Provide a mechanism for safely receiving, counting and storing medications.

d. Provide a mechanism for receiving and storing appropriate medication authorization forms.

e. Select potential candidates for medication administration (prescribed and non-prescribed OTC).
f. Assign qualified employees, who meet a satisfactory level of competence for prescribed medication administration as defined in Policy 2422.7 and non-prescribed OTC medication as determined by the WVDE.

g. Coordinate development of procedures for the administration of medication during school-related events with classroom teachers, school nurses, parents/guardians, designated qualified personnel and administrator’s designees.

h. Assist with the promotion of WVDHHR/BPH-Oral Health Program’s Fluoride Rinse Program especially in school districts which lack optimal fluoridated water.

i. Provide scheduled time for designated school personnel to be Cardiopulmonary Resuscitation (CPR) with Automated External Defibrillation (AED) certified and first aid trained according to Policy 2422.7 to meet qualifications for administering medications whether prescribed or nonprescribed OTC medication.

j. Develop a mechanism to assure the inclusion of all students especially those with specialized health care needs to participate in school-related field trips. This includes advance notification to the certified school nurse and/or county school health services director to ensure out-of-state field trip destinations allow reciprocity and delegation of certain health care procedures by their state board of nursing laws and practice acts since the certified school nurse is only licensed to practice nursing in West Virginia.

Role of the school nurse and contracted licensed health care provider.

a. Determine if the administration of prescribed medication may be safely delegated to designated qualified personnel, as defined in Section 4.5.

b. Contact the parent/guardian or licensed health care provider to clarify any questions about prescribed medication that is to be administered in the West Virginia public school system.

c. Manage health-related problems and decisions. In the role of manager, the nurse is responsible for standards of school nurse practice in relation to health appraisal, health care planning and maintenance of complete and accurate documentation. For students needing long-term and emergency prescription medication to attend school, the school nurse shall assess the student, review the licensed prescriber’s orders, promote implementation of needed health, safety procedures, and develop a health care plan and an optional intervention guide if deemed appropriate.

d. Utilize the “West Virginia Board of Examiners for Registered Professional Nurses Guidelines for Determining Acts that May be Delegated or Assigned by Licensed Nurses”, June 2009, and any revisions thereof, as the mechanism for determining whether or not the administration of prescribed medications may be delegated.

e. Provide and/or coordinate training, as defined in Policy 2422.7, for all school employees designated to administer prescribed medication.
f. Validate and document student knowledge and skills related to self-administration of prescribed medication.

Role of designated qualified personnel/administrator’s designee.

a. Successfully complete the CPR with AED certification, First Aid, and the medication administration portion of training, as defined in Policy 2422.7. Designated qualified personnel who are providing medication administration for a one-time school-related event/field trip are exempt from the requirements of CPR with AED certification and first aid training.

b. Store and administer medication, complete the medication document and report medication incidents as outlined in Sections 7.4. and 8.5.

c. Meet the specifications in W. Va. Code §18-5-22 (d) and (e) which includes teachers, aides and secretaries.

Role of the parent/guardian.

a. Administer the initial dose of any medication at home, except for emergency medications and unless otherwise directed by the licensed prescriber and/or a court order.

b. Provide completed and signed medication authorization form (to be designed by each county), which indicates student name; date; allergies; medication name; dosage, time, and route; intended effect of medication; other medication(s) taken by student; licensed prescriber and parent/guardian signature.

c. Shall provide school with completed medication authorization form for prescribed medication(s) and emergency contact information including parent name, address, phone numbers and at least two telephone numbers other than parent/guardian in case of emergency.

d. Shall supply medication and ensure that medication arrives safely at school in a current and properly labeled container (see Sections 7.1 and 8.3). Give the medication to the person authorized by the administrator/principal to receive, store, and administer medication. Maintain effective communication pertaining to medication administration.

e. Replenish long-term and emergency prescribed medication as needed. If emergency medication or medication authorization form is not provided to the school, the safety and welfare of the student is placed at risk. The student should not attend school until both the medication and medication authorization form are provided to school personnel with a review and delegation from the school nurse. The Student Assistance Team (SAT), Section 504 or Individualized Education Program (IEP) team must regard the lack of emergency lifesaving medication(s) as child neglect.

f. Retrieve unused or expired medicine from school personnel no later than 30 days after the authorization to give the medication expires or on the last day of school.

Role of the student.
a. Consume the medication in the specified manner, in as much as his/her age, development and maturity permit.

b. Self-administer prescribed emergency or acute medications, such as but not limited to epinephrine, insulin, asthma inhaler or ibuprofen when the prescription indicates that said student may maintain possession of the medication. The student must be able to bring the medication to school, carry the medication in a safe and responsible manner, and use the medication only as prescribed. At the discretion of county boards of education, high school students (not below grade 9) may be allowed to carry and self-administer non-prescribed OTC medication with parent/guardian authorization, unless restricted by the administrator/principal.


Prescribed medications shall be administered after written authorization from a licensed prescriber with parent/guardian approval is received.

Prescribed medication shall be in the originally labeled container from the pharmacy, which includes the following:

1. student’s name,
2. name of the medication,
3. reason(s) for the medication (if to be given only for specific symptoms),
4. dosage, time and route,
5. reconstitution directions, if applicable, and
6. the date the prescription and/or medication expires.

Prescribed OTC Medication(s)

1. student’s name (affixed to original manufacturer’s bottle),
2. name of the medication,
3. reason(s) for the medication (if to be given only for specific symptoms),
4. dosage, time and route,
5. reconstitution directions, if applicable, and
6. the date the prescription and/or medication expires.

Medication administration steps must be followed exactly as outlined in Policy 2422.7.
a. Medication administration must take place in a clean and quiet environment where privacy may be established and interruptions are minimal.

b. The school nurse is to be contacted immediately when a prescribed medication’s appearance or dosage is questioned. The school nurse shall take the appropriate steps to assure the medication is safe to administer.

c. The school nurse is to be contacted immediately when a student’s health condition suggests that it may not be appropriate to administer the medication.

d. When a student’s medical condition requires a change in the medication dosage or schedule, the parent must provide a new written medication authorization form from a licensed prescriber and container, if applicable. This must be given to designated personnel within an appropriate time frame.

e. Schools may only stock medications as permitted by W. Va. Code §18-5-22c (epinephrine) and §§16-46-1 through 16-46-6 (naloxone) if the county board of education adopts a policy in accordance with sections 10.2 through 10.14 of this policy. Schools are required to follow the county board of education policy and may voluntarily adopt W. Va. Code §18-5-22c (stock epinephrine) as outlined in Section 10.2 and/or W. Va. Code §16-46-1 (stock naloxone) as outlined in Section 10.10. County boards of education will follow the procedures and protocols for school health and school nursing as set forth in Chapter 18 of W. Va. Code and the rules set forth by the WVBE.

Medication administration incidents include, but are not limited to, any deviation from the instructions provided by the licensed health care provider. The school nurse and administrator/principal shall be contacted immediately in the event of a medication incident. The school nurse or administrator/principal shall do the following:

a. Contact the physician and parent/guardian, if necessary.

b. Implement the school nurse or administrator recommendation and/or licensed prescriber order in response to a medication incident.

c. Document all circumstances, orders received, actions taken and student’s status.

d. Submit a written circumstances, orders received, actions taken and student’s status.

Self-administration of medication shall be permitted in accordance with W. Va. Code §§18-5-22a, 18-5-22b and 18-2K-1, et seq., after the following conditions are met:

a. A written medication authorization form is received from the parent/guardian and licensed prescriber for self-administration of medication.
b. A written statement is received from a licensed prescriber which contains the student name, purpose, appropriate usage, dosage, time or times at which, or the special circumstances under which the medication is to be administered.

c. The student has demonstrated the ability and understanding to self-administer medication by passing an assessment by the school nurse evaluating the student’s technique of self-administration and level of understanding of the appropriate use of the medication.

d. The parent/guardian has acknowledged in writing that they have read and understand a notice provided by the county board of education stating that the school, county school board and its employees and agents are exempt from any liability, except for willful and wanton conduct, as a result of any injury arising from the self-administration of medication.

e. The permission to self-administer medication shall be effective for the school year for which it is granted and all documents related to the self-administration of medication shall become part of the student health record.

f. The permission to self-administer medication may be revoked if the school nurse finds that the student’s technique and understanding of the use of medication is not appropriate or is willfully disregarded.


Non-prescribed OTC medications shall be administered under the direction of the building level administrator/principal only after meeting the following requirements (registered nurses and licensed practical nurses cannot administer non-prescribed OTC medications without an order from a licensed prescriber): 

a. Medication authorization form is provided from the parent/guardian.

b. The school administrator/principal has the authority to determine if the administration of the non-prescribed OTC medication may be safely delegated to the administrator’s designee as defined in Section 4.2.

c. The school administrator/principal has the authority to contact the parent/guardian or a licensed health care provider to clarify any questions about the medication being administered.

Any non-prescribed OTC medication(s) must be provided by the parent/guardian with the exception of the WVDHHR/BPH Children’s Dentistry Project Fluoride Rinse Program where the fluoride rinse is considered a public health need especially in areas which lack optimal fluoridated water. The fluoride rinse program with standard includes 0.2% sodium fluoride solution which can decrease the incidence of dental caries by 35% according to the National Institute of Dental Research thus supplied to schools through the WVDHHR/BPH Oral Health Program.

a. The administration of fluoride rinse must be in accordance with the WVDHHR/BPH-Oral Health Program’s Instruction for Conducting the Fluoride Rinse Program including record
maintenance of parent/guardian permission forms and date/time of program administration including each student participating in the program.

b. The fluoride rinse program is exempt from the requirements of CPR with AED certification, first aid training and the designated qualified personnel requirements of Section 4.5 of this policy. County board of education approved volunteers may assist with the administration of this program as approved by the school administrator/principal.

Non-prescribed OTC medication shall be in the manufacturer’s original packaging clearly marked with the following:

a. student’s name (affixed to original manufacturer’s packaging),

b. name of medication,

c. ingredients,

d. dosage, time and route,

e. reconstitution directions, if applicable, and

f. medication expiration date.

Medication administration steps must be followed exactly as outlined by the WVDE.

a. Medication administration must take place in a clean and quiet environment where privacy may be established and interruptions are minimal.

b. The parent/guardian is to be contacted immediately when a medication’s appearance or dosage is questioned. The administrator’s designee shall take the appropriate steps to assure the medication is safe to administer.

c. The parent/guardian is to be contacted immediately when a condition suggests that it may not be appropriate to administer the medication.

Medication administration incidents include, but are not limited to, any deviation from the instructions provided by the parent/guardian consistent with manufacturer’s directions. The school administrator/principal shall be contacted immediately in the event of a medication incident. The school administrator will then contact the parent/guardian, if necessary. The school administrator/principal or designee shall:

a. Contact the West Virginia Poison Center for management recommendations in response to a medication incident.

b. Document all circumstances, orders received, actions taken and student’s status.
c. Submit a written report to the administrator and county superintendent at the time of the incident. The report should include the name of the student, the parent/guardian name and phone number, a specific statement of the medication incident, who was notified, and what remedial actions were taken.

d. When a parent/guardian authorizes a non-prescribed OTC medication to be given in addition to a known prescribed medication, the administrator/principal or school nurse shall validate the safety of multiple medications. At times, this validation process may require a licensed prescriber order.


Each school shall designate space in the building to store student medication, at the correct temperature, in a secure, locked, clean cabinet or refrigerator, as required. Schools shall maintain epinephrine auto-injectors in a secure, unlocked, location, which is only accessible to school nurses, health care providers and authorized nonmedical personnel and not by students.

All medication shall be entered on a medication inventory and routinely monitored for expiration and disposal.

Access to medications shall be under the authority of the administrator of the school in conjunction with the school nurse assigned to that school.

An appropriate supply of long-term and emergency prescribed medication may be maintained at the school in amounts not to exceed school dosages within each calendar month.

School personnel shall dispose of unused or expired medicine unclaimed by the parent/guardian no later than 30 days after the parent/guardian medication authorization expires or on the last day of school whichever comes first.

Medication disposal shall be done in a manner in which no other individual has access to any unused portion. Two individuals will witness the disposal of the medication and the procedure must be documented on the appropriate form related to the specific student.


The West Virginia Board of Examiners for Registered Professional Nurses and WV Code allow for the delegation of certain prescribed emergency medication. According to the BSHCP manual, there are emergency medications that can only be administered by licensed nurses such as intranasal midazolam, and naloxone. The following emergency medications have been approved for school nurses to decide the ability to delegate, train and continuously supervise school personnel to administer when a diagnosis and order are in place and the school nurse or licensed practical nurse is not available to provide such care:

a. Glucagon;

b. Epinephrine;
c. Rectal diazepam (i.e. Valium) can only be delegated to unlicensed school personnel if ordered by the student’s physician and the certified school nurse provides the final determination to allow delegation;

d. Albuterol or other emergency asthma medication.

A public, private, parochial or denominational school located within this state may possess and maintain at the school a supply of epinephrine auto injectors for use in emergency medical care or treatment for an anaphylactic reaction. Each county board of education may also develop a policy for stock epinephrine during secondary activity/extracurricular events outside of the school day. A prior diagnosis for a student or school personnel requiring the use of epinephrine auto injectors is not necessary to permit the school to stock epinephrine auto injectors.

Epinephrine auto injectors shall be maintained by the school in a secured, unlocked location which is only accessible by school nurses, health care providers and authorized nonmedical personnel and not by students.

An allopathic physician licensed to practice pursuant to the provisions of article three, chapter thirty of this code or an osteopathic physician licensed to practice pursuant to the provisions of article fourteen, chapter thirty of this code may prescribe within the course of his or her professional practice standing orders and protocols for use when necessary by a school which wishes to maintain epinephrine auto-injector pursuant to the provisions of this section.

School nurses are authorized to administer an epinephrine auto injector to a student or school personnel during regular school hours or at a school function when the school nurse medically believes the individual is experiencing an anaphylactic reaction. A school nurse may also use the school supply of epinephrine auto injectors for a student or school personnel authorized to self-administer that meet the requirements of a prescription on file with the school.

Designated qualified school personnel who have been trained in the administration of an epinephrine auto injector by the school nurse and who have been designated and authorized by the school to administer the epinephrine auto injector to a student or school personnel during regular school-related events when the authorized and designated nonmedical school personnel reasonably believes, based upon their training, that the individual is experiencing an anaphylactic reaction. Designated qualified school personnel may also use the school supply of epinephrine auto injectors for a student or school personnel authorized to self-administer that meet the requirements of a prescription on file with the school.

The parent/guardian of a student who was administered a school maintained epinephrine auto injection shall be provided with a comprehensive notification immediately. The comprehensive notification should include date and the approximate time the incident occurred, symptoms observed, who administered the injection, the rational for administering the injection, the response to the epinephrine administration, the dose of epinephrine administered, the current location of the student and any other necessary elements to make the students’ parents fully aware of the circumstances surrounding the administration of the injection.
A school nurse or designated qualified school person who administers an epinephrine auto injection to a student or to school personnel as provided in this section is immune from liability for any civil action arising out of an act or omission resulting from the administration of the epinephrine auto injection unless the act or omission was the result of the school nurse or trained and authorized nonmedical school personnel’s gross negligence or willful misconduct.

The county board of education will provide training on anaphylaxis and allergy awareness for food service workers and others in the school system, if easily available locally.

All public schools are required to report each reaction resulting in the administration of epinephrine injections in their county. Other medication incidents (e.g., wrong dose, incorrect medication administered, other medication errors) shall also be reported. The incidents will be reported to the West Virginia Poison Center by calling 1-800-222-1222 after emergency medical services have transported the student or staff member to acute care. The notification should include the name of the student, the student’s age and gender, date and the approximate time the incident occurred, symptoms observed, who administered the injection, the name of the school the student attends, a contact telephone number, the rational for administering the injection, the response to the epinephrine administration, the dose of epinephrine administered, and any other necessary elements to provide a complete report for the individual situation. The West Virginia Poison Center will provide the data upon request to the public schools, local boards of education and annually to the State Superintendent of Schools.


Student information related to diagnosis, medications ordered and medications given must be maintained according to The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. §1232g; 34 CFR Part 99) and in such a manner that no one could view these records without proper authorization as specified in WVBE Policy 4350, Procedures for the Collection, Maintenance and Disclosure of Student Data (126CSR94).

Documentation of medication administration shall include the following information:

a. student name,

b. medication(s) name,

c. dosage, time and route of medication(‘s) administration,

d. reaction(s) or untoward effects,

e. reason(s) the medication was not administered; and

f. date and signature of person administering medication.

g. Receiving and documenting of verbal orders from a licensed prescriber is allowable by the school nurse or the licensed health care provider. The verbal order shall be confirmed with a new written medication authorization form within a reasonable timeframe.
h. Report medication incidents (e.g., wrong dose, incorrect medication administered, other medication errors, etc.) and medication overdoses to the West Virginia Poison Center at 1-800-222-1222.


If a student violates the policy regarding medication administration, action will be based upon WVBE Policy 4373, Expected Behavior in Safe and Supportive Schools (126CSR99).

Failure of school personnel to comply with the above rules shall result in personnel disciplinary actions based on WVBE Policy 5310, Performance Evaluation of School Personnel (126CSR142) and WVBE Policy 5902, Employee Code of Conduct (126CSR162).


If any provision of this rule or the application thereof to any person or circumstance is held invalid, such federal legislation or invalidity shall not affect other provisions or applications of this rule.

17. Communicable Disease Control

The county school system will work cooperatively with the county health department to enforce and adhere to the W. Va. Code §§18A-5-1, 16-3-4, 16-3D-1, 16-3-5, 16-3C-1 through 16-3C-9, 18-2-5, 18-5-9, 18-5-22, and 18-5-34 for prevention, control and containment of communicable disease in schools.

§126-51-4 Definitions

ACIP is defined as the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention in the U.S. Department of Health and Human Services, which is the principal agency in the United States government for protecting the health and safety of all Americans and for providing essential human services, especially for those people who are least able to help themselves. CDC remains at the forefront of public health efforts to prevent and control infectious and chronic diseases, injuries, workplace hazards, disabilities and environmental health threats.

Disease Prevention Measures

Good hand hygiene is the single most effective procedure to prevent the spread of communicable disease in the school setting. An allowance for hand washing should be incorporated into the daily routine of all students especially before eating, after blowing the nose, coughing, or sneezing, and after going to the bathroom. However, if soap and clean water are not available, use an alcohol-based product to clean the hands.

Immunizations

Students must be in compliance with the required immunization schedule as set forth by the Bureau Commissioner.
All children entering prekindergarten (Pre-k), kindergarten or any grade of a Jefferson County public school for the first time must show proof of immunization upon Jefferson County Schools will follow the current West Virginia Department of Education policy for medical exemption to immunizations. The final determination of the State Health Officer is subject to a right of appeal pursuant to the provisions of W.Va. Code §29A-5-1 et. seq. The immunization record shall be a public health record to be entered and reviewed annually into West Virginia Statewide Immunization Information System (WVSIIS).

Disease Control Measures
West Virginia continues to be a state with low incidence rates of tuberculosis. hence the removal of tuberculosis skin testing for out-of-state student transfers and new school employees, including volunteers in W.Va. Code § 16-3D-3 (2015). In order to ensure tuberculosis rates remain low, W.Va. Code §16-3D-3 requires that students found or suspected to have active tuberculosis shall be temporarily removed from school while their case is reviewed and evaluated by their personal physician and the local health officer. Students shall return to school when their personal physician and the local health officer, in consultation with the Commissioner, indicate that it is safe and appropriate for them to return. Also, school personnel found or suspected to have active tuberculosis shall have their employment suspended until the local health officer, in consultation with the Commission, approves a return to work. The Commissioner may require selective testing of students and school personnel for tuberculosis when there is reason to believe that they may have been exposed to the tuberculosis organism or they have signs and symptoms indicative of the disease.

Good health and safety are essential to student learning. The education and monitoring of communicable diseases during the school year is necessary to keep students health and learning. The county school system will work cooperatively with the county health department to enforce and adhere to the W.Va. Code §§18A-5-1, 16-3-4, 16-3D-1, 16-3-5, 16-3C-1 through 16-3C-9, 18-2-5, 18-5-9, 18-5-22, and 18-5-34 for prevention, control and containment of communicable disease in schools.

The administrator or school nurse shall exclude from the school any pupil or pupils known to have or suspected of having any infectious disease known to be spread by casual contact and is considered to be a health threat to the school population. The superintendent has the authority to exclude a staff member from school when reliable evidence or information from a qualified source confirms him/her of having a potential communicable disease that is known to be spread by any form of casual contact and is considered a health threat to the school population. Such a student or staff member shall be excluded in accordance with guidelines of West Virginia Department of Health and Human Resources (WVDHHR) unless his/her physician approves school attendance and the condition is no longer considered contagious. All reportable communicable diseases will be referred to the county health department, as set forth in West Virginia Bureau for Public Health Legislative Rule 64CSR7, Reportable Diseases, Events and Conditions. In the event of a suspected communicable disease outbreak as defined by the Commissioner, public schools and/or county boards of education shall release student personally identifiable information to appropriate public health officials as allowable by FERPA’s Health and Safety Emergency Disclosure and 126CSR94, WVBE policy 4350, procedures for the Collection, Maintenance and Disclosure of Student Data. The local health
department is able to provide reportable communicable disease guidance or go to http://www.wvdhhr.org/idep/#Disease%20%20%20Reporting.

Contagious Disease Reporting

The West Virginia Bureau of Public Health establishes procedures governing the reporting of certain diseases and conditions, unusual health events and clusters or outbreaks of disease. It establishes the responsibility of school administrators, school nurses and other health care providers to report, assist with or manage the outbreak and any necessary contact investigation and management, including implementation of control methods to limit the spread of communicable disease. This release of personal identifiable information to public health officials is classified as a Health and Safety Emergency in the FERPA rule, allowing schools to release the information needed for protection of public health.

Screenings

All screenings performed in the public school setting should be age appropriate, deemed effective and necessary through evidence-based and scientific researched-based practice. W. Va. Code §18-5-22 allows county boards to provide proper medical and dental inspections for all students attending school and gives authority to take any other necessary actions to protect students from infectious diseases.

Universal Precautions

Standard/universal precautions shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting or school buses. Blood and body fluids from any person in the school setting shall be treated with standard/universal precautions; no exception shall be made when handling blood and body fluids. School personnel will be trained in standard/universal precautions as set forth by the Occupational Safety and Health Administration recommendations and guidelines at http://www.osha.gov/.

Confidentiality

All persons privileged with any medical information that pertains to students or staff members shall be required to treat all proceedings, discussions and documents as confidential information. Before any medical information is shared with anyone in the school setting a “legitimate educational reason” or “health or safety emergency situation” must exist. All other releases of confidential medical and health information shall be released only with the consent of the parent/guardian, student if over 18, employee or their representative as outlined in 126CSR94, WVBE Policy 4350, Family Educational Rights and Privacy Act of 1988 and Family Educational Rights and Privacy: Final Regulations. Part II, 34 CFR Part 99.

Information from health records is part of the educational record and should be shared with the child’s parents/guardians. The school, state public health officials, and medical home/health care provider may share health information to enhance student health and prevent duplication of services.

In concordance with the Harvard School of Public Health, Centers for Disease Control, American Academy of Pediatrics, and the National Association of School Nurses, Jefferson County Schools considers head lice to be a nuisance rather than a public health concern or a communicable disease. Acknowledging that this nuisance is spread from direct contact with live lice, parents will be contacted if a student is found to have active lice. Active head lice
infestations are expected to be treated by the family and the student should be checked for removal of all live lice before returning to school. Head lice cases that have not been resolved within five school days per occurrence will be counted as unexcused absences for each day absent beyond the five-day period.

18. Student Automobiles

Parking is a privilege and reasonable parking fees may be collected from students who park.

19. School Bus Transportation

General Information

The bus operator is in full charge of the bus and pupils or any other passenger. Passengers must obey the driver promptly and respectfully.

Regulations for Students Transported on School Buses

Responsibilities of parents. Parents shall:

1. Provide written guidance regarding any special care a student may need while riding the bus.
2. Provide supervision at all bus stops until the bus arrives for both pickup and delivery.

Responsibilities of students.

1. All students enrolled in Jefferson County Schools shall behave in a manner that promotes a school environment that is nurturing, orderly, safe and conducive to learning and personal-social development.
2. Students shall help create an atmosphere free from bullying, intimidation, harassment or any other inappropriate behavior.
3. Students shall demonstrate honesty and trustworthiness.
4. Students shall treat others with respect, deal peacefully with anger, use good manners and be considerate of the feelings of others.
5. Students shall demonstrate responsibility, use self-control and be self-disciplined.
6. Students shall demonstrate fairness, play by the rules, and will not take advantage of others.
7. Students shall demonstrate compassion and caring.
8. Students shall demonstrate good citizenship by obeying laws and rules, respecting authority, and by cooperating with others.
9. Students shall have proper approval to exit the school bus other than their regularly assigned bus stop.

Additionally, students shall:
10. Walk on the left side of the road facing traffic.

11. Wait on the bus at the designed stop in an orderly manner.

12. Board the bus in an orderly manner.

13. Follow the school bus operator=s/aide=s instructions at all times.


15. Be responsible for vandalism that occurs on a seat in which they ride.

16. Not eat, drink, or place objects in their mouth that may cause a choking hazard while on the bus except for medically necessary foods or medications according to W. Va. §126CSR27 State Board Policy 2422.8, “Medication Administration” (hereinafter “Policy 2422.8”).

17. Change seats only with permission of the school bus operator when the bus is not in motion.

18. Avoid unnecessary conversation with the school bus operator.

19. Keep heads and arms inside bus windows at all times.

20. Report any open exit or released hatch to the school bus operator immediately.

21. Provide enrollment information to the school bus operator.

Students shall not:

1. Ride in stepwell or forward of front row seats.

2. Stand while bus is in motion, at any time a seat is available.

3. Throw, or pass, any object of any nature into or from the bus through a door or window.

4. Use profane or obscene language.

5. Open emergency exits, except during emergencies, unless directed by the school bus operator.

Minor violations can result in a one to ten school-day suspension of transportation privileges. Major violations will result in suspension of transportation privileges for a period up to ninety school days for the first offense and, in some cases, can result in suspension from school for an equivalent length of time.

Some examples of major violations include fighting, * smoking, ** vandalism, obscene or threatening language and deliberately distracting the driver. *** Constant unacceptable behavior may result in the suspension of transportation privileges for up to one year by action of the school board. When transportation privileges are suspended, suspension applies to all school but transportation including curricular/extracurricular activities, e.g., band, athletics, field trips, etc.
*Any types of conduct resulting in possible physical injury
**Constitutes having a lit cigarette on the bus or use of tobacco of any form
***Jefferson County Policy

Please also see SOP for “Pre-K, Elementary and Secondary Procedures and Bus Discipline while transporting Student” for more detailed information.

20. Free/Reduced Meals

Free Lunch Policy – Statement of Assurance

The Jefferson County Board of Education hereby assures the students that it accepts responsibility for and will implement uniformly the National School Lunch and Breakfast Programs, the Child and Adult Care Food Program and the Special Milk Only Program in the appropriate schools under its jurisdiction. An application form for benefits will be made available to any student throughout the school year.

21. Lockers

Each secondary student will be assigned a locker at the beginning of the school term. The locker is to be used for his/her personal belongings. No student is to use any locker except the one assigned to him/her. Each student will be responsible for the lock or key and locker assigned to him/her and must return the lock or key at the end of the school term.

School lockers used by students remain the property of the school district. The administration may, at any time and for any purpose, open and inspect any or all lockers used by students. Each school shall establish appropriate times for students to use their lockers.

Any student refusing to obey established procedures may have his locker privileges suspended.

22. Expected Behavior

Expected Behavior in Safe and Supportive Schools

General

1.1. Scope. -- This rule sets the requirements for the development of safe and supportive schools that provide optimum learning conditions for both students and staff. Whereas safety and order is the foundation of a positive school climate/culture that supports student academic achievement and personal-social development, this rule also establishes disciplinary guidelines for student conduct that outline behaviors prohibited in West Virginia schools that must be consistently addressed in order to assure the orderly, safe, drug-free, violence- and harassment-free learning environment.

Purpose
2.1. The Jefferson County Schools recognizes the need for students, teachers, administrators, and other school personnel to have a safe and supportive educational environment. The Jefferson County Schools believes further that public schools should undertake proactive, preventive approaches to ensure a positive school climate/culture that fosters learning and personal-social development. Public schools must create, encourage, and maintain a safe, drug-free, and fear-free school environment in the classroom, on the playground, and at school-sponsored activities. Assuring such an educational environment requires a comprehensive plan supported by everyone in the school organization, as well as parents/guardians and the community.

2.2. This Policy also sets forth unacceptable behaviors that undermine a school’s efforts to create a positive school climate/culture. These unacceptable behaviors are prohibited on all school property and school sponsored events. West Virginia’s public schools must respond quickly and consistently, in accordance with these regulations, to incidents of these prohibited behaviors in a manner that effectively deters future incidents and affirms respect for individuals.

§126-99-3. Incorporation by Reference

3.1. The West Virginia Procedures Manual for Expected Behavior in Safe and Supportive Schools is attached and incorporated by reference into this policy. Copies may be obtained in the Office of the Secretary of State and from the West Virginia Department of Education (WVDE).

§126-99-4. Application

4.1. The expectations outlined in these regulations apply in public schools in West Virginia during any education-sponsored event, whether in a classroom, elsewhere on school premises, on a school bus or other vehicle used for a school related event, or at a school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by a county board of education, WVDE, Jefferson County Schools or in another facility or upon any other property being used by any of these agencies. These expectations apply to students, staff and public guests respectively as noted within the policy. The consequences of violating these expectations are as follows:

4.1a. Students will be subject to the interventions and consequences outlined in Chapter 4 of the accompanying West Virginia Manual for Expected Behavior in Safe and Supportive Schools.

4.1b. School staff will be subject to disciplinary and/or licensure action in accordance with West Virginia Code §§18A-2-8, 18A-3-2a, 18A-3-3 and 18A-3-6.

4.1c. Public guests in public schools will be subject to removal from school property/events and appropriate notification of local authorities as warranted.

4.1d. This policy does not supersede any rights granted to special education students by federal or state law or other Jefferson County Schools policy.

§126-99-5. Severability
5.1. If any provision of this rule or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this rule.
WEST VIRGINIA MANUAL FOR
EXPECTED BEHAVIOR IN SAFE AND SUPPORTIVE SCHOOLS (4373)

Introduction
The West Virginia Board of Education and the Jefferson County Board of Education has the constitutional responsibility to provide for a thorough and efficient public education system. As the State’s public education leaders, we accept the responsibility and accountability for bringing about results. This is the promise we make to our students, parents and educators and the obligation we have to the taxpayers of West Virginia. Our vision is to provide an education that supports students to develop into healthy, responsible, and self-directed citizens who have the knowledge and Global21 skills to lead satisfying and productive lives. Within this vision is a goal for all students to develop the personal skills and dispositions of wellness, responsibility, self-direction, ethical character, cultural awareness and good citizenship in an environment that is caring and safe.

If we are to realize our vision, then we must be purposeful in the way we structure our curriculum to teach the valued disposition that we want students to develop and the way we shape our environment to reinforce those behaviors. The West Virginia Manual for Expected Behavior in Safe and Supportive Schools developed by the West Virginia Board of Education and incorporated herein provides the procedural guidance to assist the schools in their efforts to create the climate/culture that supports development of the dispositions that are valued in our communities, state, nation and world.
CHAPTER 1 -- EXPECTED STUDENT DISPOSITIONS

Section 1. Rationale for Developing Expected Dispositions

Our nation’s founders envisioned the American education system as an institutional structure that would prepare each generation to be active, principled citizens. This vision has placed a great responsibility on schools to sustain a democratic culture. To accomplish this charge, schools must deliberately focus on conveying democratic principles through the explicit curriculum and through the implicit learning that is affected by the manner in which all individuals within a school interact with one another.

Schools must consistently and persistently work to improve student knowledge, skills and dispositions that convey our nation’s democratic principles. Dispositions are the values, commitments and ethics that influence one’s behaviors toward others and affect learning, motivation and development. Dispositions are affected by beliefs and attitudes related to values such as caring, fairness, honesty, responsibility and social justice. Ideally, the teaching and learning of these valued dispositions should be the shared responsibility of every school employee, student, parent and community member and these stakeholders should be engaged in supporting the development of these dispositions.

CHAPTER 2 – STUDENT RIGHTS AND RESPONSIBILITIES

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

School officials have control over student safety, welfare, and behavior from the time a student boards the school bus or arrives at school until the student returns home or to their designated bus stop. To meet this responsibility school officials have the right and responsibility to adopt rules and regulations for the purpose of maintaining order and discipline and creating a positive learning environment. It is a student’s responsibility to follow school rules and regulations and to cooperate with school authorities who enforce these rules and regulations.

Section 1. The Right to a Thorough and Efficient Education

All students, regardless of race, religion, national origin, language, gender, disability, marital status, parenthood, or pregnancy have the right to an equal education opportunity. Students are required by law to attend school regularly until their seventeenth birthday; as long as they continue to be enrolled as a student after their seventeenth birthday; or until their graduation. A student who has not graduated may attend school until they are twenty-one.

Public schooling is tuition-free for all students. School systems, however, may charge tuition for summer school and before/after-school programs, if offered, provided that any student whose parents, in the judgment of the board, are unable to pay such tuition, may attend at a reduced charge or without charge except for post-secondary, community education, or adult preparatory programs.

Whatever school supplies are deemed necessary to accomplish the goals of a school system and are an integral and fundamental part of elementary and secondary education must be provided free of charge to all students, such as textbooks, paper, writing implements and computers if their use is part of the curriculum. Students may be required to purchase their own equipment, such as instruments and costumes, for performance-based classes, such as band, orchestra, choir, dance
and theatre. However, students shall not be denied participation in a class because their parents/guardians cannot afford to do so. Schools have contingency plans to accommodate students and families who do not have the financial means to make these purchases.

Section 2. Student Inquiry and Expression

Schools may not conduct, sponsor or endorse religious activities during school time. Individual students have the right to practice their own religion in a manner that does not interfere with the orderly conduct of classes and may form student groups with a religious focus that meet after school. Students have the right to be absent from school, on a reasonable basis, for religious instruction and/or for participation in religious activities. An opportunity must be provided for students to make up any work missed; however, it is the student’s responsibility to make up such work pursuant to the rules established by the school or county.

Students are entitled to exercise appropriate speech while at school. Freedom of speech includes forms of expression other than vocal, provided this activity does not materially and substantially disrupt the work and discipline of the school or impinge upon the rights of other students. Schools may limit vulgar or offensive speech inconsistent with the school’s responsibility for teaching students the boundaries of socially appropriate behavior. Students’ off campus conduct that might reasonably be expected to cause disruption in the school may be prohibited or disciplined. This includes, but is not limited to, blogs and social media postings created for the purpose of inviting others to indulge in disruptive and hateful conduct towards a student or staff member.

Students have the right not to be compelled to participate in certain types of speech, such as reciting the Pledge of Allegiance. Students who choose not to participate in these ceremonies have the responsibility to respect the rights of those who do participate and must remain respectfully silent.

School sponsored student publications that are a part of the curriculum are subject to teacher editorial control and therefore student speech may be regulated in a manner reasonably related to educational purposes.

Section 3. Non-curriculum Related Student Groups

When high schools allow one or more student groups whose purpose is not directly related to any class taught at the school to meet at the school, this is referred to as a limited open forum. If a school is a limited open forum for any purpose, the school must allow religious, political, and/or philosophical group meetings as long as the meetings are voluntary, monitored by the school, and do not interfere with the conduct of school activities.

Section 4. Extra-Curricular Activities

Students must meet all requirements outlined in W. Va. §126CSR26, Policy 2436.10, Participation in Extracurricular Activities in order to participate in non-academic extra-curricular activities (e.g. interscholastic athletics such as football, basketball, track or wrestling; cheerleading; student government; class officers in grades 6-12).

Fees may be required to help support the cost of extra-curricular activities; however, the fees should be kept to a minimum in order to further equal opportunity for participation regardless of economic status. If fees are to be paid by a student who cannot afford those fees, school officials shall develop options that will allow the student to participate.
Section 5. Privacy

Students have certain privacy rights regarding school records. To ensure this privacy, W. Va. §126CSR94, Policy 4350, Procedures for the Collection, Maintenance, and Disclosure of Student Data provides regulations for schools to follow regarding school records. Parent(s)/guardian(s) of students under eighteen years of age are entitled by law to inspect and review their child’s school records. This right applies to both custodial and non-custodial parents. Students have these same rights if they are eighteen years of age or older. A guidance counselor or other school official may be needed to assist in interpreting the information in a student’s permanent record file, but their assistance is not required.

If a student or parent/guardian believes that information contained in an education record is inaccurate or misleading or violates the student’s privacy or other rights, the student or parent/guardian may request that the records be amended. If the school does not amend the records, a hearing may be requested to challenge the content of the records.

Except in certain instances, school officials may not release information from a student’s records without the consent of a parent or guardian, or student if the student is eighteen years of age or older. For example, confidential medical information cannot be released without the consent of the parents or guardians or eligible students’ specific written consent. However, under certain conditions, authorized persons or agencies may receive information without consent. For example, if school officials are served with a valid subpoena for student information, the parents or guardians must be provided notice prior to compliance with the subpoena in order that they may voice any objections in the venue that issued the subpoena.

Directory information may be released without seeking prior consent of the parents or guardians unless they refuse to waive consent at the beginning of each school year after receiving notification by the school of their statutory rights under the law.

Section 6. Protection from Unreasonable Searches and Seizures and Self-Incrimination

Federal and state constitutions and statutes provide protection for all citizens from unreasonable searches and seizures. Although school personnel have more latitude than police officers in this regard, because they do not need search warrants, search and seizures of lockers or students by school officials must still be reasonable, based upon the information known by them at the time of the search. Personal property may be searched by those authorized where there is "reasonable suspicion" to believe that student property contains stolen articles, illegal items or other contraband as defined by law or by local board or school policy.

Students also have a right under federal and state constitutions not to incriminate themselves about a crime when questioned on school grounds by an individual acting in the capacity of a law enforcement official. They are entitled to be informed of their right against self-incrimination if they are in a custodial setting, in other words, they are not at liberty to terminate the interrogation and leave. Students do not have a constitutional right against self-incrimination when being questioned by school officials or PRO Officers acting under the supervision of school officials who are investigating school related misconduct.

Section 7. Child Abuse Prevention

Students have the right to grow up without being mentally, physically or sexually abused at school, in the home or the community. This section sets forth those instances when law enforcement must be notified about child abuse and neglect, including when such notification must be made. Victims
of abuse may seek the advice or assistance of a teacher, counselor, nurse, or other school professional. The school professional will assist students in getting needed help to prevent the abuse from recurring.

48 Hour Notice Requirement

Teachers, school personnel, volunteers, counselors, nurses, or other professionals within a school (“Mandatory Reporters”) who suspect that a student is being abused or neglected to report the circumstances to the West Virginia Department of Health and Human Resources immediately, and within no more than 48 hours. If a Mandatory Reporter suspects a student has suffered sexual abuse, sexual assault or serious physical abuse, the West Virginia State Police and the local law enforcement entity must also be immediately, and within no more than 48 hours.

Mandatory Reporters who are also staff or volunteers of an entity or organization that provides services to a school or otherwise organize activities at a school or on school premises must immediately notify the person in charge of the entity or organization providing services or activities to a school. The Mandatory Reporter must follow any additional reporting requirements established by such entity or organization.

Removal of Suspected Abused or Neglected Student

1. In the absence of an arrest, school officials may not authorize the removal of a student from school for the purpose of investigative questioning without the consent of the parent or guardians, except as provided below:
   a. A student may be removed from school premises by the West Virginia Department of Health and Human Resources if that student is a suspected victim of child abuse or neglect and the West Virginia Department of Health and Human Resources has guardianship of the child or a court order to remove the child.
   b. The building administrator shall ensure that prompt notification of a student’s removal by the West Virginia Department of Health and Human Resources from school under this section is made to the student’s parent or guardians.

2. Any person, official or institution participating in good faith in any act permitted or required by this article shall be immune from any civil or criminal liability that otherwise might result by reason of such action.

3. The West Virginia Department of Health and Human Resources may remove a child from school premises if:
   a. The investigating agency has custody or guardianship of the child; or
   b. It has a court order; or
   c. Its representative states, that to protect the suspected abused or neglected child, he/she must be removed from school. The school principal will promptly notify the parent/legal guardian of such action by the West Virginia Department of Health and Human Resources immediately, and within no more than 48 hours.
24 Hour Notice Requirement

In instances where a Mandatory Reporter personally witnesses any of the following acts, or receives credible information from a witness of any of the following acts, he or she must notify the West Virginia State Police and the local law enforcement entity immediately, and within no more than 24 hours.

- Sexual contact of a child on school premises, on a school bus, or on transportation used in furtherance of a school purpose. “Sexual contact” is further defined in W. Va. Code §61-8B-1(6);
- Sexual intercourse of a child on school premises, on a school bus, or on transportation used in furtherance of a school purpose. “Sexual intercourse” is further defined in W. Va. Code §61-8B-1(7); or
- Sexual intrusion of a child on school premises, on a school bus, or on transportation used in furtherance of a school purpose. “Sexual intrusion” is further defined in W. Va. Code §61-8B-1(8).

There is a limited exception to the mandatory reporting requirement when a Mandatory Reporter receives information or observes consensual sexual contact, intercourse, or intrusion between students. This exception does not apply, and thus the immediate and within no more than 24 hour notification requirement must be followed, when the consensual sexual contact, intercourse, or intrusion involves:

- A student who is 14 or older and a student who is less than 12;
- A mentally or physically incapacitated student; or
- A student who is 16 or older and a student that is less than 16 when there is at least a 4 age difference between the students.

In determining whether conduct falls within the exception to the mandatory reporting requirement, Mandatory Reporters are encouraged to err on the side of caution and report the conduct within the mandatory reporting time frame.

Alternatively, Mandatory Reporters may notify the school’s principal or assistant principal when receiving credible information or observing the acts described above. If a principal or assistant principal receives such information, he or she must notify the West Virginia State Police and local law enforcement immediately, and within no more than 24 hours, of receiving such information.

State law does contain criminal penalties for failure to meet the reporting requirements outlined in this section. For more information on those penalties, please see W. Va. Code §49-2-802.
CHAPTER 3 – INAPPROPRIATE BEHAVIOR AND MEANINGFUL INTERVENTIONS AND CONSEQUENCES

Section 1. Addressing Inappropriate Behavior with Meaningful Interventions and Consequences

The purpose of these regulations is to provide schools with a policy or policies that create and ensure an orderly and safe environment that is conducive to learning. This policy requires that all schools respond immediately and consistently to any behavior that disrupts the learning environment in a manner that effectively deters future incidents and affirms respect for individuals. Inappropriate behaviors include but are not limited to incidents of harassment, intimidation, bullying, substance abuse and/or violence. The intent is for students to learn and exhibit appropriate behavior. All interventions and consequences are in effect on all school property and at all school sanctioned events, including extracurricular activities. Each district, with support from the WVDE, will implement proactive, preventative, and responsive programs, outline investigatory and reporting procedures, and delineate meaningful interventions and consequences in response to inappropriate behavior.

This policy classifies inappropriate student behavior in four levels. County policies may reclassify Level 2 and 3 inappropriate behaviors depending on the severity or repetition of the behaviors and provided this reclassification assures that the treatment of the inappropriate behavior is consistent with West Virginia Code.

County/school policies should identify appropriate and meaningful interventions and consequences that include, but are not limited to, examples provided in this policy. It is not a requirement that all schools offer every intervention and consequence listed in this policy. School administrators and staff are encouraged to exhaust all available school and community resources to provide appropriate school-based intervention strategies designed to keep students in school and engaged in instruction.

Out-of-school suspension strategies should be used sparingly and shall never deny a student access to instructional material and information necessary to maintain their academic progress. Out-of-school suspension is not a recommended consequence or intervention for Level 1 behaviors, however, the determination of interventions and consequences is at the discretion of the school administrator for levels 1, 2 and 3. West Virginia Code requires that the principal shall suspend a student who commits a behavior classified as Level 4 in this policy. Level 3 and 4 behaviors are to be referred directly to the appropriate administrator because of the serious and/or unlawful nature of the misconduct.

In order to create consistency among all schools in the application of out-of-school suspension and expulsion as they relate to inter-scholastic extracurricular activities, any student suspended or expelled from school is also suspended from extracurricular activities for the duration of the out-of-school suspension or expulsion.

When administering interventions and consequences, it is required to determine if a student warrants protection under the IDEA, W. Va. §126CSR16, Policy 2419, Regulations for the Education of Students with Exceptionalities and or Section 504.
Section 2. Inappropriate Behaviors: Codes, Definitions and Interventions and Consequences

<table>
<thead>
<tr>
<th>Behaviors</th>
<th>Definitions – Level 1</th>
<th>Interventions and Consequences</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LEVEL 1: Minimally Disruptive Behaviors</strong> – disrupt the educational process and the orderly operations of the school but do not pose direct danger to self or others.</td>
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</tbody>
</table>
| Cheating                            | A student will not plagiarize or copy the work of others or break rules to gain advantage in a competitive situation. Interventions for this inappropriate behavior may include academic sanctions in addition to other discipline. | • Administrator/student conference or reprimand  
• Administrator and teacher-parent/guardian conference  
• Academic sanctions may be used to deny credit for work resulting from cheating; however, previously earned grades/credits may not be reduced.  
• Counseling referrals and conference to support staff or agencies  
• Daily/weekly progress reports  
• Behavioral contracts  
• Change in the student’s class schedule  
• School service assignment  
• Confiscation of inappropriate item  
• Revocation of privileges  
• Restitution/restoration  
• Detention (lunch, before and/or after school)  
• Denial of participation in class and/or school activities  
• Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion, (West Virginia Code §18A-5-1)  
• Voluntary weekend detention (Superintendent’s Interpretation of May 12, 2006)  
•居室的使用和管理的限制  
• *West Virginia Code §18A-5-1 (d) prohibits the use of suspension solely for not attending class.  
• While out-of-school suspension is not recommended for Level 1 Inappropriate Behavior, if used at the discretion of the school administrator, it should be limited to a maximum of three (3) days.  
• Law enforcement notification if warranted. Absent a real and immediate threat to school or public safety, incidents involving public order offenses shall be considered school discipline issues to be handled by school officials rather than criminal law issues warranting formal law enforcement intervention. |
<p>| Deceit                              | A student will not deliberately conceal or misrepresent the truth, deceive another or cause another to be deceived by false or misleading information. |                                                                                               |
| Disruptive/ Disrespectful Conduct    | A student will not exhibit behavior that violates classroom/school rules, results in distraction and obstruction of the educational process or that is discourteous, impolite, bad mannered and/or rude. Behavior is considered disruptive and/or disrespectful if a teacher is prevented from starting an activity or lesson, or has to stop instruction to address the disruption. |                                                                                               |
| Failure to Serve Detention          | A student will not fail to serve an assigned detention of which students and/or parents/guardian have been notified. |                                                                                               |
| Falsifying Identity                 | A student will not use another person’s identification or give false identification to any school official with intent to deceive school personnel or falsely obtain money or property. |                                                                                               |
| Inappropriate Appearance            | A student will not dress or groom in a manner that disrupts the educational process or is detrimental to the health, safety or welfare of others. A student will not dress in a manner that is distracting or indecent, to the extent that it interferes with the teaching and learning process, including wearing any apparel that displays or promotes behavior and/or items prohibited by this policy. |                                                                                               |
| Inappropriate Display of Affection   | Students will not engage in inappropriate displays of intimate affection, such as kissing or embracing. |                                                                                               |
| Inappropriate Language              | A student will not orally, in writing, electronically, or with photographs or drawings, use profanity in general context (not directed toward any individual or group). |                                                                                               |
| Possession of Inappropriate Personal Property | A student will not possess personal property that is prohibited by school rules or that is disruptive to teaching and learning. |                                                                                               |
| Skipping Class*                     | In accordance with WVBE Policy 4110 - Attendance, a student will not fail to report to the school’s assigned class or activity without prior permission, knowledge or excuse by the school or by the parent/guardian. |                                                                                               |
| Tardiness*                          | A student will not fail to be in his/her place of instruction at the assigned time without a valid excuse. |                                                                                               |
| Vehicle Parking Violation           | A student will not engage in improper parking of a motor vehicle on school property. |                                                                                               |</p>
<table>
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<tr>
<th>Behaviors</th>
<th>Definitions – Level 2</th>
<th>Interventions and Consequences</th>
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</table>
| **LEVEL 2: Disruptive and Potentially Harmful Behaviors** – disrupt the educational process and/or pose potential harm or danger to self and/or others. The behavior is committed willfully but not in a manner that is intended maliciously to cause harm or danger to self and/or others. | **Gang Related Activity** A student will not, by use of violence, force, coercion, threat of violence or gang activity, cause disruption or obstruction to the educational process. Gangs are defined as organized groups of students and/or adults who engage in activities that threaten the safety of the general populace, compromise the general community order, and/or interfere with the school district’s educational mission. Gang activity includes:  
- Wearing or displaying any clothing, jewelry, colors, or insignia that intentionally identifies the student as a member of a gang, or otherwise symbolizes support of a gang.  
- Using any word, phrase, written symbol or gesture that intentionally identifies a student as a member of a gang, or otherwise symbolizes support of a gang.  
- Gathering of two or more persons for purposes of engaging in activities or discussions promoting gangs.  
- Recruiting student(s) for gangs. | • Administrator/student conference or reprimand  
• Administrator and teacher- parent/guardian conference  
• Referral to support staff or  
• Agencies for counseling or other therapeutic services  
• Daily/weekly progress reports  
• Behavioral contracts  
• Change in the student’s class schedule  
• School service assignment  
• Confiscation of inappropriate item  
• Revocation of privileges  
• Restitution/restoration  
• Before and/or after-school detention  
• Denial of participation in class and/or school activities  
• Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion, (West Virginia Code §18A-5-1)  
• Voluntary weekend detention (Superintendent’s Interpretation of May 12, 2006)  
• In-school suspension  
• Out-of-school suspension with a recommended maximum of five (5) days (See guidelines in Chapter 6, Section 2)West Virginia Code §18A-5-1 (d) prohibits the use of suspension solely for not attending class.  
• The principal and/or superintendent may recommend placement in an Alternative Education program as described in Section 5 of this chapter.  
• Expulsion  
• Law enforcement notification if warranted. Absent a real and immediate threat to school or public safety, incidents involving public order offenses shall be considered school discipline issues to be handled by school officials rather than criminal law issues warranting formal law enforcement intervention. |
| **Habitual Violation of School Rules or Policies** A student will not persistently, as defined by the county, refuse to obey the reasonable and proper orders or directions of school employees, school rules or policies. | **Insubordination** A student will not ignore or refuse to comply with directions or instructions given by school authorities. Refusing to open a book, complete an assignment, work with another student, work in a group, take a test or do any other class- or school-related activity not listed herein, refusing to leave a hallway when requested by a school staff member, or running away from school staff when told to stop, all constitute insubordination/unruly conduct. |  
| **Leaving School Without Permission** A student will not leave the school building, campus of school activity for which the student is enrolled without permission from authorized school personnel. | **Possession of Knife not meeting Dangerous Weapon Definition (West Virginia Code §61-7-2)** A student will not possess a knife or knife-like implement under 3½ inches in length. West Virginia Code §61-7-2 clarifies that a pocket knife with a blade 3½ inches or less in length, a hunting or fishing knife carried for sports or other recreational uses, or a knife designed for use as a tool or household implement shall not be included within the term "knife" as defined as a deadly weapon unless such knife is knowingly used or intended to be used to produce serious bodily injury or death. |  
| **Profan Language/ Obscene Gesture/ Indecent Act Toward... An Employee or A Student** A student will not direct profane language, obscene gestures or indecent acts towards a school employee or a fellow student. This inappropriate behavior includes but is not limited to, verbal, written, electronic and/or illustrative communications intended to offend and/or humiliate. | **Technology Misuse** A student will not violate the terms of WVBE Policy 2460 Safety and Acceptable Use of the Internet by Students and Educators. |  

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<table>
<thead>
<tr>
<th><strong>Behaviors</strong></th>
<th><strong>Definitions – Level 3</strong></th>
<th><strong>Interventions and Consequences</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Battery Against a Student</strong></td>
<td>A student will not unlawfully and intentionally injure another student.</td>
<td>Level 3 behaviors are criminal offenses and therefore warrant formal law enforcement intervention which may result in issuance of a criminal citation, ticket, or summons, filing a delinquency petition, referral to a probation officer or actual arrest.</td>
</tr>
</tbody>
</table>
| **Defacing School Property/Vandalism** | A student will not willfully cause defacement of or damage to property of the school or others. Actions such as writing in school textbooks or library books, writing on desks or walls, carving into woodwork, desks, or tables, and spray painting surfaces are acts of defacement. Examples of damage to school property include, but are not limited to, ruining bulletin boards, intentionally clogging the plumbing system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary. | In collaboration with law enforcement, the school shall also implement invention strategies and meaningful consequences that promote and support appropriate behavioral changes. These strategies include but are not limited to:  
- Administrator/student conference or reprimand  
- Administrator and teacher-parent/guardian conference  
- Referral to support staff or agencies for counseling or other therapeutic services  
- Notification of appropriate Health and Human Resources  
- Daily/weekly progress reports  
- Behavioral contracts  
- Change in the student’s class schedule  
- School service assignment  
- Confiscation of inappropriate item(s)  
- Revocation of privileges  
- Restitution/restoration  
- Before and/or after-school detention  
- Denial of participation in class and/or school activities  
- Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion, (West Virginia Code §18A-5-1)  
- Voluntary weekend detention (Superintendent’s Interpretation of May 12, 2006)  
- In-school suspension  
- Out-of-school suspension for up to ten (10) days (See guidelines in Chapter 6, Section 2)  
- The principal and/or superintendent may recommend placement in an Alternative Education program as described in Section 5 of this chapter.  
- Expulsion |
| **Physical Fight Without Injury** | A student will not engage in a physical altercation using blows in an attempt to harm or overpower another person or persons. | |
| **False Fire Alarm** | A student will not knowingly and willingly set off a fire alarm without cause. | |
| **Fraud/Forgery** | A student will not deceive another or cause another to be deceived by false or misleading information or sign the name of another person in order to obtain anything of value or defraud authorities. | |
| **Gambling** | A student will not engage in any game of chance or contest wherein money or other items of monetary value are awarded to the winner, except for those games and contests authorized as official school functions. | |
| **Hazing** | A student will not haze or conspire to engage in the hazing of another person. “Hazing” means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any activity or organization, including both co-curricular and extra-curricular activities. | |
| **Improper or Negligent Operation of a Motor Vehicle** | A student will not intentionally or recklessly operate a motor vehicle, on the grounds of any educational facility, parking lot, or at any school-sponsored activity, so as to endanger the safety, health or welfare of others. | |
| **Larceny** | A student will not, without permission, take another person’s property or have another person’s property in his or her possession. Property valued at $1,000 or more will increase this behavior to a Level 4 because it is considered a felony in accordance with West Virginia Code §61-3-13. | |
| **Sexual Misconduct** | A student will not publicly and indecently expose themselves, display or transmit any drawing or photograph of a sexual nature, or commit an indecent act of a sexual nature on school property, on a school bus or at a school sponsored event. | |
| **Threat of Injury/Assault Against… An Employee A Student** | A student will not threaten (verbal or written) or attempt to injure another student, teacher, administrator or other school personnel. [This includes assault on a school employee defined in West Virginia Code §61-2-15]. | |
| **Possession of Imitation Weapon** | A student will not possess any object fashioned to imitate or look like a weapon. | |
| **Trespassing** | A student will not enter upon the premises of the county school system property, other than to the location to which | |

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the student is assigned, without authorization from proper school authorities.

| Harassment/ Bullying/ Intimidation | A student will not bully/intimidate/harass another student. According to West Virginia Code §18-2C-2, “harassment, intimidation or bullying” means any intentional gesture, or any intentional electronic, written, verbal or physical act, communication, transmission or threat that:
- A reasonable person under the circumstances should know will have the effect of harming a student, damaging a student’s property, placing a student in reasonable fear of harm to his or her person, and/or placing a student in reasonable fear of damage to his or her property;
- Is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or
- Disrupts or interferes with the orderly operation of the school.
An electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.

Acts of harassment, intimidation, or bullying that are reasonably perceived as being motivated by any actual or perceived differentiating characteristic, or by association with a person who has or is perceived to have one or more of these characteristics, shall be reported using the following list: race; color; religion; ancestry; national origin; gender; socioeconomic status; academic status; gender identity or expression; physical appearance; sexual orientation; mental/physical/developmental/sensory disability; or other characteristic.

When harassment, intimidation or bullying are of a racial, sexual and/or religious/ethnic nature, the above definition applies to all cases regardless of whether they involve students, staff or the public. Detailed definitions related to inappropriate behavior of this nature are as follows:

Sexual harassment consists of sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
- submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
- submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education; or
- creating an intimidating, hostile or offensive employment or educational environment.

Amorous relationships between county board employees and students are prohibited.

Upon receipt of a complaint of racial, sexual and/or religious/ethnic harassment or violence that has been substantiated through investigation, the appropriate school official shall take action appropriate to the status of the offender (student, staff or public guest). Such action for students may include all options listed above. Actions for staff may include but not be limited to, warning, suspension, termination, revocation of licensure, notification of law enforcement and/or human services. Actions for public guests may include but not be limited to removal from school property and school sponsored functions, notification of law enforcement and/or human services.
Sexual harassment may include but is not limited to:

- verbal harassment of a sexual nature or abuse;
- pressure for sexual activity;
- inappropriate or unwelcome patting, pinching or physical contact;
- sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats and/or promises concerning an individual's employment or educational status;
- behavior, verbal or written words or symbols directed at an individual because of gender; or
- the use of authority to emphasize the sexuality of a student in a manner that prevents or impairs that student's full enjoyment of educational benefits, climate/culture or opportunities.

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

- has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- otherwise adversely affects an individual's employment or academic opportunities.

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

- has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- otherwise adversely affects an individual's employment or academic opportunities.

 Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas. Sexual violence may include, but is not limited to:

- touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
- coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
- threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

 Sexual violence may also include threatening or forcing exposure of intimate apparel or body parts by removal of clothing.

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

Religious/ethnic violence is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion or ethnicity.
<table>
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<tr>
<th>Imitation Drugs: Possession, Use, Distribution or Sale</th>
<th>A student will not possess, use, distribute or sell any substance that is expressly represented or implied to be a controlled substance or simulate the effect and/or the appearance (color, shape, size and markings) of a controlled substance.</th>
<th>The selection of appropriate interventions and consequences for substance abuse must be considered very carefully depending upon the severity of the behavior and potential safety concern for others in the school. The first action must be to conference with the parent/guardian and appropriate law enforcement representatives in an effort to direct the student to appropriate addiction services. Referral to tobacco cessation services/treatment and substance abuse treatment services shall be a priority intervention strategy for these behaviors.</th>
</tr>
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<tbody>
<tr>
<td>Inhalant Abuse</td>
<td>A student will not deliberately inhale or sniff common products found in homes, schools and communities with the purpose of “getting high”. The action may be referred to as huffing, sniffing, dusting and/or bagging.</td>
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</tbody>
</table>
| Possession/Use of Substance Containing Tobacco and/or Nicotine | A student will not unlawfully possess, use or be under the influence of any substance containing tobacco and/or nicotine or any paraphernalia intended for the manufacture, sale and/or use of tobacco/nicotine products in any building/area under the control of a county school system, including all activities or events sponsored by the county school district. Special considerations according to West Virginia Code §16-9A-4.  
- No person (student, staff member or public guest) shall at any time use or distribute any tobacco or nicotine containing product on school property or during school sponsored events.  
- Individuals supervising students off school grounds are prohibited from distributing or using tobacco or nicotine containing products in the presence of students.  
- An exception shall be made to allow possession/use of approved nicotine replacement product for tobacco cessation. WVBE Policy 2422.8 - Medication Administration must be followed in order for students to use such products on school property or at school sponsored events. | |

### Behaviors Definitions – Level 4

**LEVEL 4: Safe Schools Act Behaviors** - are consistent with those addressed in West Virginia Code §18A-5-1a(a) and (b). The following Level 4 behavior definitions are aligned with West Virginia Code §§61-6-17, 61-6-24, and 18A-5-1, and in the Gun-Free Schools Act of 1994. These laws require that the principal, superintendent and county board address Level 4 behaviors in a specific manner as outlined in West Virginia Code §18A-5-1a and paraphrased in Chapter 3, Sections 4 and 5 of this manual.

| Battery Against a School Employee | A student will not commit a battery by unlawfully and intentionally making physical contact of an insulting or provoking nature with the person of a school employee as outlined in West Virginia Code §61-2-15(b). | |
| Felony | A student will not commit an act or engage in conduct that would constitute a felony under the laws of this state if committed by an adult as outlined in West Virginia Code §18A-5-1a(b)(i). Such acts that would constitute a felony include, but are not limited to, arson (West Virginia Code §61-3-1), malicious wounding and unlawful wounding (West Virginia Code §61-2-9), bomb threat (West Virginia Code §61-6-17), sexual assault (West Virginia Code §61-8B-3), terrorist act or false information about a terrorist act, hoax terrorist act (West Virginia Code §61-6-24) and grand larceny (West Virginia Code §61-3-13). | |
| Illegal Substance Related Behaviors | A student will not unlawfully possess, use, be under the influence of, distribute or sell any substance containing alcohol, over-the-counter drugs, prescription drugs, marijuana, narcotics, any other substance included in the Uniform Controlled Substances Act as described in West Virginia Code §60A-1-101, et seq., or any paraphernalia intended for the manufacture, sale and/or use of illegal substances in any building/area under the control of a county school system, including all activities or events sponsored by the county school district. This includes violations of WVBE Policy 2422.8 - Medication Administration and instances of prescription drug abuse. | |
| Possession and/or Use of Dangerous Weapon | According to West Virginia Code §18A-5-1a(a), a student will not possess a firearm or deadly weapon as defined in West Virginia Code §61-7-2, on any school bus, on school property or at any school-sponsored function as defined in West Virginia Code §61-7-11a. As defined in West Virginia Code §61-7-2, a “dangerous weapon” means any device intended to cause injury or bodily harm, any device used in a threatening manner that could cause injury or bodily harm, or any device that is primarily used for self-protection. Dangerous weapons include, but are not limited to, blackjack, |
Level 4 - Behaviors are Used in the Identification and Classification of Persistently Dangerous Schools

The following criteria is set forth to determine whether a school will be classified as a Persistently Dangerous School. Data indicating the number of substantiated inappropriate behaviors will be collected using the WVEIS in order to identify and classify a school as persistently dangerous. A West Virginia public school will be classified as a Persistently Dangerous School on or before August 1 of each year if the school has, for two consecutive years, substantiated Level 4 behaviors that exceed five percent (5%) of the total number of students enrolled in the school based on the school’s second month enrollment:

- Battery on a school employee as defined in West Virginia Code §61-2-15.
- Commission of an act that would constitute a felony under the laws of the state on the premises of an educational facility, at a school sponsored function or on a school bus.
- Possession of a firearm or deadly weapon as defined in West Virginia Code §61-7-2 on the premises of an educational facility, at a school sponsored function or on a school bus.
- Sale of a narcotic drug as defined in West Virginia Code §60A-1-101 on the premises of an educational facility, at a school sponsored function or on a school bus.

County School System Requirements Related to Persistently Dangerous Schools:

1. provide targeted technical assistance to any school that has, for two consecutive years, substantiated Level 4 behaviors that exceed 3% of the total number of students enrolled in the school, based on the school’s second month enrollment;
2. develop a corrective action plan for any school identified as persistently dangerous, submit it to the WVDE, and implement the plan in a timely manner; and
3. conduct a timely notification process to inform parents of each student attending a school identified as persistently dangerous of this; provide the opportunity for students to transfer to a safe public school within the county school district; and complete the transfer process for all students wishing to transfer.

WVDE Requirements Related to Persistently Dangerous Schools:

1. provide targeted technical assistance to any school that has, for two consecutive years, substantiated Level 4 behaviors that exceed 3.75% of the total number of students enrolled in the school, based on the school’s second month enrollment.

A student attending a school identified as persistently dangerous or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public school that the student attends, shall be allowed to attend an alternate safe public school within the county school district.

Section 3. Use of Physical Punishment Prohibited

West Virginia Code §18A-5-1(e) prohibits school employees from using corporal (bodily) punishment on any student. No physical punishment of any kind can be inflicted upon a student. This includes:

- hitting or striking a student on their physical person;
- requiring physical activity as a punishment (this does not apply to physical activity within the structure and context of extracurricular activities);
- use of noxious stimuli (e.g. pepper spray), denial of food or water or other negative physical actions to control behavior; and
- seclusion - a removal in which a student is left unsupervised in a dark area or in any space as an intervention or consequence to inappropriate behavior.

Section 4. Use of Restraint

Reasonable force may be used to restrain a student from hurting himself/herself or any other person or property. All students, including students with disabilities, must be treated with dignity and respect. Behavior interventions and support practices must be implemented in such a way as to protect the health and safety of the students and others. When the use of physical restraint is necessary, the following guidelines must be followed:
Definitions:

- Restraint - the use of physical force to significantly restrict the free movement of all or a portion of a student’s body.
- Emergency - a situation in which a student’s behavior poses a threat of imminent, serious physical harm to the student or others or serious property destruction.

A school employee and/or independent contractor may use restraint in an emergency as defined above with the following limitations:

- Restraint shall be limited to the use of such reasonable force as is necessary to address the emergency. Procedures and maneuvers that restrict breathing (e.g. prone restraint), place pressure or weight on the chest, lungs, sternum, diaphragm, back, neck or throat, or may cause physical harm are prohibited.
- Restraint shall be discontinued at the point at which the emergency no longer exists.
- Restraint shall be implemented in such a way as to protect the health and safety of the student and others.
- Restraint shall not deprive the student of basic human necessities.
- Appropriate (intended use) utilization of mechanical restraints such as seat belts or feeding tables when applied for their intended purpose is not prohibited; however, the application of mechanical restraint is prohibited as an intervention or consequence for inappropriate behavior.

School employees and/or independent contractors who, as determined by the principal, may need to use restraint shall be provided training according to the following requirements:

- A core team of personnel in each school must be trained annually in the use of a nationally recognized restraint process. The team must include an administrator or designee and any general or special education personnel likely to use restraint;
- Personnel called upon to use restraint in an emergency and who have not received prior training must receive training within 30 days following the use of restraint if the principal determines that there is a reasonable likelihood that the situation leading to the use of restraint will reoccur;
- Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint;
- All trained personnel shall also receive instruction in current professionally accepted practices and standards regarding behavior interventions and supports;

Comprehensive documentation and immediate notification on use of restraint is required. In a case in which restraint is used, school employees, volunteers and/or independent contractors shall implement the following documentation requirements:

<table>
<thead>
<tr>
<th>Time Requirement</th>
<th>Documentation/Notification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediately following the use of</td>
<td>The principal or designee must be provided verbal and written notification that restraint</td>
</tr>
<tr>
<td>restraint (within one hour)</td>
<td>was used on a given student with a description of the restraint process used.</td>
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<tr>
<td>Same day</td>
<td>A good faith effort shall be made to verbally notify the parents/guardian regarding the</td>
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<td></td>
<td>use of restraint.</td>
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<tr>
<td>Within one school day</td>
<td>Written notification of the use of restraint must be placed in the mail or otherwise</td>
</tr>
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<td>provided to the parent/guardian.</td>
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</table>

“Excellence in Teaching and Learning”
Within one school day | Written documentation regarding the use of restraint must be placed in the student’s official school record. The information must be available to determine the relationship of a student’s behavior as it impacts the student’s learning and/or the creation or revision of a behavior intervention plan.

Written notification to the parents/guardian and documentation to the student official school record shall include the following:

- Name of the student;
- Name of the staff member(s) administering the restraint;
- Date of the restraint and the time the restraint began and ended;
- Location of the restraint;
- Narrative that describes antecedents, triggers, problem behavior(s), rationale for application of the restraint and the efforts made to de-escalate the situation and alternatives to restraint that were attempted; and
- Documentation of all parental contact and notification efforts.

Section 5. Alternative Education for Disruptive Students

West Virginia Code §18-5-19 provides for the creation of Alternative Education programs to allow for the provision of a free and appropriate education to students whose disruptive behavior has caused them to be removed from the regular classroom/school setting. Nothing in this manual precludes county boards of education from operating alternative education programs for non-disruptive students. The guidelines in this manual apply solely to alternative education programs for disruptive students. The State Superintendent's approval of the county alternative education policies and procedures is required for authorization to operate an alternative education program under these regulations.

For the purposes of this manual, an alternative education program is a temporary authorized departure from the regular school program designed to provide educational and social development for students whose disruptive behavior places them at risk of not succeeding in the traditional school structures and in adult life without positive interventions. The purposes of these programs are to: (1) provide a safe and orderly learning environment for the education of all students in the public schools of West Virginia and (2) meet the educational needs of disruptive students through the development of alternative education programs.

Alternative education programs for disruptive students encompass a range of program options such as:

- in-school suspension;
- a separate part-time or full-time alternative education classroom;
- a school-within a school;
- a school on an alternative site;
- an afterschool class/night school program; or
- a combination academic/work-based program.

Eligibility for Placement in Alternative Education Programs - Students may be placed in alternative education programs for:

1. violations of the West Virginia Code §18A-5-1a;
2. repeated violations of the county's discipline policy following documented multiple behavioral interventions by the Student Assistance Team at the referring school; and
3. continuation of educational services during periods of suspension.

- Students who have been expelled must be placed in an alternative education program unless found to be a dangerous student under the procedures set forth in West Virginia Code §18A-5-1a.
- Students who have been suspended or expelled from a public or private school in West Virginia or another state, currently found within the county, may not be denied enrollment unless determined to be a “dangerous student” under the procedures set forth in West Virginia Code §18A-5-1a.
- Placement of Students in Alternative Education Programs - Placement decisions, excluding short-term in-school suspensions, shall be made by an Alternative Education Placement Team, which may be the Student Assistance Team. County school districts shall provide for the opportunity for parents to participate in the placement team meeting. The placement team shall develop a student's written plan which includes academic courses and behavioral components, criteria for re-entry to the regular school program and provisions for periodic review of the student's progress at least on an annual basis. The team for all students with disabilities shall be the IEP team and the written plan shall be the IEP.
- Day-School Programs - Absent expulsion, a student attending an alternative education day school program shall have the opportunity to receive a full-time instructional program and full instructional day.

Section 6. Collaboration with Law Enforcement

Police have the responsibility to enforce laws in order to protect all citizens. Police can enter schools if they suspect a crime has been committed, if they have a warrant for an arrest or search, or if their assistance has been requested by school officials. It is the duty of the school officials, teachers, and students to cooperate with the police and each other to ensure that the rights of all involved persons are respected.

Prevention Resource Officers (PRO): PRO Officers are certified police officers, working as fulltime officers who have been assigned to work fulltime within a public school during the school year. The PRO Officer’s duties, salary and other conditions should be determined through an agreement with the county board of education and the PRO Officer’s authorized police department. The principal is the PRO Officer’s immediate supervisor while the officer is present in the school. There may be a time when, during the course a PRO Officer’s duties, the officer’s position as a law enforcement officer would take precedence.

Police Conducting an Investigation in the School: During a criminal investigation, if a student is to be questioned by the police, or by school officials in the presence of the police, the school administration should cooperate with the police and help to ensure that the privacy of the student is protected. The police officer is responsible to ensure that the student’s constitutional rights are not violated. The police officer is responsible for determining if the student’s parents or guardian, or lawyer should be contacted prior to questioning. West Virginia Code §49-5-2 specifies that statements made by a student under the age of fourteen, while being questioned by law enforcement officials, cannot be used in a court proceeding unless his or her lawyer is present; such statements made by students who are fourteen or fifteen years old cannot be used in a court proceeding unless their lawyer is present or a parent is present and the parent has been informed of the student’s rights. The police officer shall determine when the use of restraints is necessary.
during such questioning to control an unruly student to prevent the student from harming him/herself or others.

CHAPTER 4 – PROCEDURES FOR ADDRESSING ALLEGATIONS OF INAPPROPRIATE BEHAVIORS

Section 1. Procedures for Reporting Complaints of Inappropriate Behavior

All school employees are responsible for assuring a safe and supportive school climate/culture. When incidents of inappropriate behavior are witnessed by school staff, the behavior shall be addressed consistently in accordance with the Interventions and Consequences outlined in Chapter 4 and with the school implementation plan. However, incidents of inappropriate behavior do not always occur in the presence of school employees and are reported to school authorities after the behavior has occurred.

All inappropriate behaviors observed by students or public guests must be reported to the appropriate personnel for appropriate action to be taken as specified in the county policy and school implementation plan. Each county policy and school implementation plan shall designate the individual(s) who will receive complaints about inappropriate behaviors indicated in Chapter 3.

The procedures to assure that any person who believes he or she has been the victim of an Inappropriate Behavior as outlined in Chapter 3 or any person with knowledge or belief of conduct which may constitute a violation of Policy 4373 is set forth in Jefferson County Board of Education Harassment Policy under Complaint and Reporting Procedures. Nothing in this policy shall prevent any person from reporting violations directly to the county superintendent, as appropriate, or to the West Virginia Human Rights Commission, or to a law enforcement agency. These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the West Virginia Human Rights Commission, initiating civil action or seeking redress under the state criminal statutes and/or federal law.

CHAPTER 5 – PROCEDURES FOR TAKING ACTION ON SUBSTANTIATED INAPPROPRIATE BEHAVIORS

Section 1. Interventions and Consequences of Inappropriate Behavior

It is the intent of the WVBE and Jefferson County Board of Education for schools to be pro-active and preventive in their approach to student behavior. It is also their intent that inappropriate behavior be addressed with meaningful interventions and consequences that strive to improve future behavior. Therefore, it is the Boards’ shared belief that school administrators and staff shall exhaust all available school and community resources to provide appropriate school-based intervention strategies designed to keep students in school and engaged in instruction. Out-of-school suspension strategies should be used sparingly and shall never deny a student access to instructional material and information necessary to maintain academic progress. Out-of-school suspension is not a recommended optional consequence or intervention for Level 1 behaviors; however, the determination of interventions and consequences is at the discretion of the school administrator for levels 1, 2 and 3. West Virginia Code requires that the principal shall suspend a student who commits a behavior classified as Level 4 in this policy.
In determining the appropriate intervention and/or consequence in response to a substantiated Level I, II, or III inappropriate behavior, the principal, superintendent and/or local board of education should consider:

- the surrounding circumstances,
- the nature of the behavior,
- past incidents or continuing patterns of behavior,
- the relationships between the parties involved and the context in which the alleged incidents occurred.

**Section 2. Guidelines for Specific Responses to Inappropriate Behavior**

**Exclusion:** According to West Virginia Code §18A-5-1, a teacher or bus driver may exclude from a classroom or bus any student who displays one or more of the inappropriate behaviors outlined in Chapter 4, Section 2, Levels 1, 2, 3 or 4. Any student excluded shall be placed under the control of the principal of the school or a designee. The excluded student may be admitted to the classroom or school bus only when the principal, or a designee, provides written certification to the teacher that the student may be readmitted and specifies the specific type of disciplinary action, if any, that was taken. If the principal finds that disciplinary action is warranted, he or she shall provide written and, if possible, telephonic notice of the action to the parent(s), guardian(s) or custodian(s). When a student is excluded from a classroom or a school bus two times in one semester, and after exhausting all reasonable methods of classroom discipline provided in the school discipline plan, the student may be readmitted to the classroom or the school bus only after the principal, teacher and, if possible, the parent(s), guardian(s) or custodian(s) of the student have held a conference to discuss the student's disruptive behavior patterns, and the teacher and the principal agree on a course of discipline for the student and inform the parent(s), guardian(s) or custodian(s) of the course of action. Thereafter, if the student's disruptive behavior persists, upon the teacher's request, the principal may, to the extent feasible, transfer the student to another setting.

Bus drivers must follow the guidelines outlined in W. Va. §126CSR92, Policy 4336 – West Virginia School Bus Transportation Policy and Procedures Manual. When the bus driver excludes a student from the school bus, the driver shall notify the student and the student’s principal. The principal/designee shall notify the student’s parent/guardian. All students shall be transported until the parent/guardian has been properly notified of the exclusion. The principal/designee shall notify the parent/guardian when their child may resume riding the bus. If the inappropriate behavior persists, the student may have his/her rights to transportation services suspended for the remainder of the year, to the extent feasible.

**Suspension:** The purpose of suspension is to protect the student body, school personnel and property, the educational environment, and the orderly process of the school. Suspension is considered a temporary solution to inappropriate behavior until the problem that caused the suspension is corrected. The length of a suspension should be short, usually one (1) to three (3) school days, but may extend to ten (10) school days.

Suspension typically takes one of two forms:

- In-School Suspension: Instances in which a student is temporarily removed from his/her classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel and continues to receive instructional support. Direct supervision means school personnel are physically in the same location as students under their supervision. Settings may
include other locations within the school building or removal to another school, such as an alternative school, provided the student remains in direct supervision of school personnel.

- **Out-of-School Suspension:** Instances in which a student is temporarily removed from his/her school for disciplinary purposes to another setting pursuant to W. Va. Code §18A-5-1a (e.g., home, community setting). This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the student continues to receive services according to his/her IEP. The student is not under direct supervision of school personnel as defined under in-school suspension.

A student is entitled to an informal hearing when faced with an out-of-school suspension of ten (10) days or less. At this hearing, the principal must explain why the student is being suspended, and the student must be given the opportunity to present reasons why s/he should not be suspended. However, a student whose conduct is detrimental to the safety of the school may be suspended immediately and a hearing held as soon as practical after the suspension. Other procedures the school must follow when dealing with out-of-school suspensions are outlined in West Virginia Code §§18A-5-1 and 18A-5-1a and include:

a. Parent(s)/guardian(s) must be notified promptly in all cases of suspension.

b. The county superintendent of schools or designee must be notified and preferably in writing of the time and conditions pertaining to the suspension.

c. A student that is suspended from school may not participate in any school-sponsored activities, and is not permitted on school grounds during the period of suspension.

d. A student may not be suspended from school solely for not attending class.

An out-of-school suspension of more than ten (ten) days requires a formal hearing before the county board of education. Procedures the school and county must follow when dealing with suspensions of more than ten (10) days are outlined in West Virginia Code §§18A-5-1 and 18A-5-1a and include:

a. Parent(s)/guardian(s) must be informed in writing of the charges against their child, including a summary of the evidence upon which the charges are based.

b. Upon the student’s/parent/guardian’s request, a formal hearing must be scheduled before the county board of education.

c. Students are entitled to be represented or advised during the proceedings by a person or persons of their choosing, including legal counsel.

d. Students are entitled to be given reasonable time to prepare for the hearing.

Expulsion: The county superintendent, upon recommendation by the principal, may recommend that a county board of education expel a student from school if the student’s conduct is judged to be detrimental to the progress and general conduct of the school. In all cases involving expulsion, the student is entitled to formal due process procedures if the county board of education agrees to act upon recommendations to expel a student from school. These procedures are outlined in West Virginia Code §18A-5-1 and §18A-5-1a.

West Virginia Code §18A-5-1 and §18A-5-1a requires mandatory out-of-school suspension by the principal and mandatory expulsion for a period of not less than twelve (12) consecutive months by the county board of education for: possession of a deadly weapon, battery of a school employee,
or sale of a narcotic drug. Procedures that must be followed when dealing with an expulsion include:

a. The student and parent(s)/guardian(s) must be given a written statement of the specific charges against the student.

b. The county board of education must hold a hearing regarding the recommended expulsion.

c. The student and parent(s)/guardian(s) must be given a written notice of the time and place of the board of education hearing at which the expulsion will be considered. This notice must be given far enough in advance for the student to have time to prepare an adequate defense against the charges.

d. The student and parent(s)/guardian(s) have the right to be present at the board hearing and to defend against the charges.

e. The student has the right to be represented by an attorney at the hearing at their own expense.

f. The student has the right to present witnesses in their behalf, to hear the testimony of witnesses against them, and to question the witnesses against them.

g. If the board of education decides that the charges against a student do not warrant his or her expulsion from school, the student may remain in school or return to school without being subjected to punishment or harassment.

h. In all expulsion hearings, fact shall be found by a preponderance of the evidence.

i. Expulsion by the board of education is final. However, if a student or parent/guardian believes that the student was not given procedural due process, they may appeal to the State Superintendent of Schools. If the State Superintendent finds that the board's decision to expel the student was properly made, then the expulsion will stand unless overturned by a court.

Section 3. Considerations for Transferring Students with Expulsions

Students who have been suspended or expelled from a public or private school in West Virginia or another state, currently found within the county, may not be denied enrollment in the county school system unless determined to be a “dangerous student” under the procedures set forth in West Virginia Code §18A-5-1a. Superintendents may, in their discretion, determine the appropriate educational placement, including alternative education services, for these students (Superintendent’s Interpretation of January 26, 2007).

Section 4. Considerations for Students with Disabilities, Students not yet Determined Eligible for Special Education and Students with 504 Plans

When considering exclusion from the bus or suspension or expulsion from school or the bus for students with disabilities, students not yet determined eligible for special education (i.e. students currently engaged in the eligibility process beginning with a Student Assistance Team referral) or students with 504 plans, refer to W. Va. §126CSR16, Policy 2419 - Regulations for the Education of Students with Exceptionalities, Chapter 7 for specific guidelines related to protections which may be warranted for these students.

Section 5. Procedures for Reporting Action on Substantiated Incidents

It is essential that schools accurately track incidents of inappropriate behavior in order to utilize data for school climate/culture improvement efforts and to create documentation to support actions
taken to intervene in inappropriate behavior patterns. The WVEIS provides schools with the platform to report all incidents of inappropriate behavior at the classroom level and above. The primary value of this data rests at the school and county level and is necessary for development and monitoring of Policy 4373 implementation plans. Therefore, all inappropriate behaviors as described in Chapter 4, Section 2, Levels 1, 2, 3 and 4 shall be reported through:

- Teacher level documentation – shall include inappropriate behavior leading to interventions, consequences and/or referrals to the principal.
- Principal level WVEIS data entry – shall include all teacher level documentation as well as additional entry for administrative disciplinary actions. This data shall be entered into WVEIS by the principal and/or other authorized staff.
- Superintendent level WVEIS data entry – shall include county board actions resulting from expulsion hearings. This data shall be entered into WVEIS by the superintendent and/or other authorized staff.

Incidents of inappropriate behaviors reported into WVEIS in accordance with this policy will be used by the WVDE to comply with federal and state reporting requirements. In order to assure accuracy of data, all districts shall verify their data monthly.

Section 6. Conflict Resolution Process

If someone believes that a county board of education has violated the procedural rights set forth in this policy, they may avail themselves of the appeal procedures outlined in W. Va. 126CSR188, Policy 7211 - Conflict Resolution Process. However, this policy does not address personal complaints against a school employee. The procedures set forth in Policy 7211 are not deemed to be a precondition to seeking relief in some other forum.

22. Harassment, Intimidation, Bullying and Discrimination Policy

I. General Statement of Policy

Approved 8/16/03


It is the policy of the Jefferson County Board of Education that all of its students and school employees have an educational and work setting that is safe, secure, and free from harassment, intimidation, bullying and discrimination of any kind. Therefore, the purpose of this policy is to prevent all forms of harassment, intimidation, bullying or discrimination, to protect the educational and working environment, to assure the prompt and efficient response to such incidents, and to deter future incidents from occurring. The Jefferson County Board of Education shall not tolerate acts of harassment, intimidation, discrimination or bullying and conduct that constitutes harassment, intimidation, discrimination or bullying, as defined herein, is strictly prohibited.
The Jefferson County Board of Education, herein after referred to as "the Board," prohibits any form of racial, sexual, or religious/ethnic harassment or violence on Board property or at any school-sponsored event, regardless of where such event might occur.

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

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

II. Definitions

A. Harassment, Intimidation, or bullying means any intentional gesture, or any intentional electronic, written, verbal or physical act, communication transmission or threat that a reasonable person under the circumstances should know will have the effect of:

A. Harming a student;
B. Damaging a student’s property;
C. Placing a student in reasonable fear of harm to his or her person; or is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening, or emotionally abusive educational environment for a student.
D. Disrupts or interferes with the orderly operation of the school.

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

- Physical contact or threats of physical contact (striking, shoving, kicking, etc.);
- Use of offensive coarse utterance, gesture, display or abusive language to any person;
- Following a person in or about a place;
- Assembling with other students to engage in disorderly conduct; or
- Making malicious remarks designed to intimidate, insult, humiliate, embarrass or in any other manner abuse verbally or in writing any School District Employee, administrator, or student.
- An electronic act, communication, transmission or threat
includes but is not limited to one which is administers via telephone, wireless phone, computer, pager or any electronic or wireless device whatsoever, and includes but is not limited to transmission of any image or voice, email or text message using any such device.

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

1. Submission to the conduct or communication is made a term or condition either explicitly or implicitly of obtaining or retaining employment, or of obtaining an education; or

2. Submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment, or education; or

3. That conduct or communication has a purpose or effect of substantially or unreasonably interfering with an individual’s employment or education; or

4. Creating an intimidating, hostile or offensive educational environment.

Sexual Harassment may include, but is not limited to:

1. Unwelcome verbal or written harassment of a sexual nature or abuse;

2. Unwelcome pressure for sexual activity;

3. Unwelcome sexually motivated or inappropriate patting, pinching, or physical contact;

4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;

5. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;

6. Unwelcome behavior, verbal or written words or symbols, directed at an individual because of gender;

7. Unwelcome sexual flirtations, advances, or
propositions from a member of the same or opposite sex;

8. Verbal abuse of a sexual nature, without regard to whether the verbal abuse specifically refers to sexual characteristics at whom the verbal abuse is directed;

9. Verbal or written comments about an individual's body;

10. Sexually degrading word(s) or actions used to intimidate, describe an individual or to refer to some aspect of the individual's behavior, appearance, attitude, or conduct;

11. The display, use or dissemination of sexually suggestive gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials and materials displayed by electronic means, sex based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.; or

12. Non-sexual conduct, including words or actions, directed toward a person because of his or her gender that tends to ridicule, criticize, discriminate, or otherwise makes it more difficult for that person to perform his or her job and/or achieve an education.

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

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

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

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

3. Otherwise adversely affects an individual's employment or academic opportunities.

4. Racial harassment includes racially degrading
word(s) or actions used to intimidate, describe an individual, or refer to some aspect of the individual's behavior, appearance, attitude, or conduct:

5. The display, use, or dissemination of racially motivated gestures, objects, pictures, and/or jokes by any means, including, but not limited to, printed materials displayed by electronic means; and

6. Race-based labeling or stereotyping with respect to mental, physical, or other abilities, talents, occupational or life goals, etc.

7. Unwelcome behavior, verbal or written words or symbols, directed at an individual because of race.

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

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

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

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

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;

3. Otherwise adversely affects an individual's employment or academic opportunities;

4. Religious/ethnic degrading word(s) or actions used to intimidate, describe an individual or refer to some aspect of the individual's behavior, appearance, attitude or conduct;

5. The display, use or dissemination of degrading religious/ethnic suggestive gestures, objects, pictures, and/or jokes by any means including, but not limited to, printed materials and materials
displayed by electronic means; and

6. Religious/ethnic-based labeling or stereotyping with respect to mental, physical or other abilities, talents, occupational or life goals, etc.

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

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

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

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

2. Has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance;

3. Otherwise adversely affects and individual’s employment or academic opportunities.

Disability harassment includes but is not limited to:

- Use of demeaning language about any type of disability or perceived disability;

- Use of gestures or behaviors that are disrespectful to disabled individuals or groups;

- Ignorance or intolerance regarding persons with disabilities;

- Unwelcome behavior, verbal or written words or symbols directed at an individual because of his or her disability.

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

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

**Sexual violence may include, but is not limited to:**

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

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

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

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

**III. Complaint and Reporting Procedures**

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

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

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

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

Revised 10/14/13

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

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

Revised 10/14/13

B. District-Wide. The Board hereby designates its Title IX Coordinator as the Board's Human Rights Officer to receive reports or complaints of racial, sexual or religious/ethnic harassment or violence from any individual, employee or victim of racial, sexual, disability or religious/ethnic harassment, discrimination or violence and also from the building principals as outlined above. If the complaint involves the Human Rights Officer, the complaint or report shall be filed directly with the superintendent, who shall then be responsible for the investigation and recommendation described in paragraph IV of this policy. The name of the Human Rights Officer or the Human Rights Officer is not otherwise impartial, including a mailing address and
telephone number, shall be conspicuously posted in the office of each school building and in other buildings to which employees of the Board are assigned to work.

C. Submission of a complaint or report of racial, sexual, disability or religious/ethnic harassment or violence will not affect the future employment, grades, or work assignments of the person who submits the complaint or report.

D. Use of formal reporting forms is not mandatory; however, when possible, individuals should use forms provided to document a complaint.

Revised 10/14/13

E. Complaints shall be filed within thirty calendar days after any incident alleged to constitute a violation of this policy or they shall be deemed untimely, unless special circumstances exist which justify a later filing.

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

IV. Investigation and Recommendation

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

Revised 10/14/13

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

1. Provide the opportunity for participation by the parent/guardian of a minor student at any conference or meeting with a student to present information.

2. Provide an opportunity for the complainant and the accused to present witnesses and other evidence.

3. Take all necessary interim preventative measures reasonably calculated to prevent any other violations prior to the completion of the complaint procedure.

4. Comply with the confidentiality requirements of this policy.
5. Complete individual interviews with the complainant, the accused, and others identified as having knowledge relevant to the incident.

6. Evaluate any other information and materials relevant to the investigation, and consider all information presented by the complainant and the accused.

7. Make every attempt to conduct and complete the investigation as thoroughly and speedily as possibly.

8. Maintain all documentation of a complaint investigation and related corrective action in a secure location.

Revised 10/14/13

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

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

V. Confidentiality

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

VI. Results of the Investigation

Revised 10/14/13

The result of the investigation of each complaint filed under these procedures will be reported to the complainant, his/her legal guardian, the accused and his/her legal guardian. The result of the investigation shall be reported to the complainant, his/her legal
guardian, the accused and his/her legal guardian within fifteen working days of the commencement of the investigation. Notwithstanding anything to the contrary in this policy, while a complainant has the right to learn the outcome of his/her complaint (i.e. to learn whether the complaint was investigated and whether discrimination/harassment was found), the district shall not disclose to a complainant any sanction or discipline recommended or imposed upon a student or employee to the extent such disclosure is prohibited by the Family Educational Rights and Privacy Act (FERPA) or other applicable laws, regulations, rules, constitutional requirement, or orders. (An exception may apply, for example, in the case of a sanction that directly relates to the victim, such as an order that a violator/perpetrator/harasser stay away from the victim.)

VII. Appeal

Revised 10/14/13
If the complainant and/or the accused is not satisfied with the result of the investigation, he/she may submit a written appeal to the Human Rights Officer within five working days after receipt of the result of the investigation. If the Human Rights Officer is the subject of the complaint or otherwise is not impartial, the appeal shall be submitted to the superintendent who shall designate another administrator to conduct the appeal.

Revised 10/14/13
The Human Rights Officer (or other designated appeal official) shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation, if necessary.

Revised 10/14/13
The Human Rights Officer (or other designated appeal official) shall prepare a written determination with respect to the appeal within fifteen working days after initiation of the appeal, unless additional time to complete a supplemental investigation is required. In that case, the investigator shall report on the status of the supplemental investigation to the complainant and the accused at the expiration of the fifteen working day period. Although the district may extend the investigation when necessary, it must provide a prompt and equitable resolution.

Revised 10/14/13
The written determination shall include a summary of any supplemental investigation, a determination about whether there have been any violations of this policy, a recommended disposition of the complaint, and any recommended district action. The results of the appeal shall be provided to the complainant, the accused, and the person who conducted the initial investigation.

VIII. Discipline and Other Actions

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

Revised 10/14/13

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

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

A. Upon receipt of a recommendation that the complaint is valid, the Board will take such action as appropriate based on the results of the investigation.

B. The Board shall also initiate such other action as is appropriate to ease tensions and affirm the values of respect and understanding in accordance with this policy.

C. The superintendent shall immediately file a report with the West Virginia Department of Education of all reports of harassment or violence when an investigation shows that harassment or violence did occur and all actions taken in response to the incident.

D. Student Discipline

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

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

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

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

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

E. Faculty and Staff Discipline

If a faculty or staff person is accused of a violation of this policy, the disciplinary procedures found in the regulations regarding disciplinary action shall apply.

F. Discipline of Non-School Related Personnel

Should any person that is not an employee or student of the Board be found to have violated this policy, that person shall, forthwith, be prohibited from entering any school building, facility, or property. Nothing in this policy shall prohibit contacting law enforcement or other personnel, including the Human Rights Commission, regarding the actions of any party subject to a complaint.
IX. Reprisal
The Board will discipline, as appropriate, any individual who takes any form of adverse action against any person who reports allegations of bullying, racial, sexual, disability or religious/ethnic harassment or violence, or who takes any form of adverse action against any person who cooperates, testifies, assists, or participates in any bullying, racial, sexual, disability, or religious/ethnic harassment, discrimination or violence investigation, proceeding or hearing. "Adverse action" includes, but is not limited to, any form of retaliation or intimidation, reprisal, coercion, provocation, or harassment.

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

Revised 10/14/13

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

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

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

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

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

XIII. Sexual Harassment as Abuse

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

XIV. Dissemination of the Policy

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

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

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

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

XV. Implementation and Education

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

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

23. Substance Abuse Policy

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

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

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

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

1. The student who is using controlled substances and/or alcohol voluntarily requests help from a staff member:
   A. The student asks for help from a member of the professional staff or other agency,
   B. The student is willing to discontinue abusing controlled substances and/or alcohol, and
   C. The student is willing to work with an appropriate staff member or another agency in seeking a solution to his/her problem.

2. The student who has in his/her possession and/or is using controlled substances and/or alcohol in the school:
   A. The student is under the influence of some controlled substances and/or alcohol in the school as evidenced by some deviation from his/her normal behavior pattern or other evidence of usage.
   B. The student possesses the controlled substance and/or alcohol in such small amounts indicating it is for his/her own use.

3. The student is distributing controlled substance and/or alcohol to others:
   A. The student is found to possess a quantity of controlled substance and/or alcohol beyond what could be reasonable for his/her own immediate use.
   B. Sufficient evidence is presented that an exchange has taken place.

4. The visitor or person who is not enrolled in school and who is under the influence or in possession of controlled substances and/or alcohol or who may be distributing

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

A. The individual is not presently enrolled in the school.

B. The individual is suspected to be under the influence of, in the possession of, or to be distributing controlled substances and/or alcohol.

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

5. In addition to the above-mentioned categories, another situation involving such controlled substances and/or alcohol may occur. Various instruments and materials are commonly known to be intended for the use of, or preparation of, controlled substances. Such instruments would include, but not be limited to, hash pipes, water pipes, apparatus used for rolling marijuana cigarettes, spoons used for inhalation of cocaine, hypodermic syringes, bongs, bowls, and other similar materials, (hereinafter referred to as "implements"). Because of the intended use implied by these implements, possession and/or distribution by Jefferson County Schools students is prohibited and shall be dealt with according to the following criteria:

A. The student is found to be in possession of implements that are used for the preparation of or the ingestion of controlled substances and/or alcohol.

B. The student is not authorized by the appropriate medical source or person to possess such implements.

C. The possession of an imitation controlled substance.

D. The student distributes, attempts to distribute, or purchases an imitation controlled substance.

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

**COMPLIANCE WITH THIS POLICY IS A MANDATORY REQUIREMENT FOR ALL STUDENTS ENROLLED IN JEFFERSON COUNTY SCHOOLS.**
No policy or procedure can be effective without the understanding and cooperation of all parties involved. Specifically, in regard to drug policies and procedures, an understanding of the rationale for such a document by students, teachers, staff administration, and parents is essential. A sense of cooperation based on this knowledge may help to prevent or intervene in potential drug problems and enable those involved to more effectively handle actual difficulties as they occur.

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

I. The student who is using controlled substances and/or alcohol voluntarily requests help from a staff member:
   A. The counselor (professional who is working with the student) should either encourage the student to allow the counselor to involve the parents or encourage the student to inform the parents firsthand.
   B. No contact shall be made with the police unless, on a case-by-case basis, compelling reasons exist to make such a contact advisable.
   C. The student will be referred to the CORE Team.

   CORE Team shall consist of the principal or his/her designee (as chairperson), the student’s counselor, the school psychologist and others deemed necessary by the chairperson.

II. The student who has in his/her possession and/or is using controlled substances and/or alcohol in the school:
   A. First Offense
      1. The parent(s)/guardian(s) shall be notified immediately to come to the school for a conference.
      2. If the student's life is in danger, the parent(s)/guardian(s) shall be notified and the appropriate health care facility contacted. If the health problem is not a medical emergency, the parent(s)/guardian(s) should be encouraged to take the student to the appropriate health care facility as soon as possible.
      3. After the student is given his/her proper due process, the administrator shall suspend the student for ten school days and may request that the superintendent recommends expulsion (WV Code § 18A-5-1a).
      4. Law enforcement officials will be notified.
      5. The student will be referred to the school's CORE Team, which shall meet with the parent(s)/guardian(s) and student to assess the extent of the student's need for substance abuse counseling and/or education. The CORE Team shall prepare a contract, which specifies the student's behavior upon returning to school. The contract shall be signed by the principal, student, and parent(s)/guardian(s).
6. Appropriate counseling agencies, i.e., a mental health facility, shall be informed that the student is being referred for counseling. The referent agency will send a signed Certification of Completion of the Substance Abuse Counseling to the referring principal. The student's parent(s)/guardian(s) shall attend the initial counseling session.

7. Following suspension, the student may return to school. During the specified time of probation established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract and (b) function within certain limitations imposed by the CORE Team.

8. Violation of probation may result in further suspension and/or recommendation for expulsion.

9. Refusal to sign a student contract or comply with the Jefferson County Board of Education Policy Chapter 8, Section 4.2, Substance Abuse Policy, shall result in a conference between the Director of Pupil Services and the student and his/her parent(s)/guardian(s) in an attempt to resolve the non-compliance.

10. Refusal to comply with counseling shall result in the student being referred to the Jefferson County Board of Education for expulsion.

B. Two or More Offenses

1. Items #1, #2, and #4 under "First Offense" shall be followed.

2. After the student is given due process and parent(s)/guardian(s) are notified to come to school for a conference to inform them of their rights, the principal shall submit documented evidence and recommend to the superintendent that the student be expelled.

3. If the student wishes to return to school following the expulsion, the CORE Team shall meet with the parent(s)/guardian(s) and the student to prepare a contract for substance abuse counseling and/or education. The contract shall be signed by the principal, student, and parent(s)/guardian(s).

4. Following expulsion, the student will return to school on a probationary status. During the specific time of probation, established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract, (b) maintain a record free from any further involvement with controlled substances and/or alcohol, and (c) function within certain limitations specific to school activities and those imposed by the CORE Team or the Board of Education.

5. Violation of probation will result in a recommendation for permanent expulsion.

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

(WVDE Policy 4373)

A student will not unlawfully possess, use, be under the influence of, distribute or sell any substance containing alcohol, over-the-counter drugs, prescription drugs, marijuana, narcotics, any other substance included in the Uniform...
A. The principal shall verify and document evidence that the student has distributed or intends to distribute controlled substances and/or alcohol.

B. Police shall be notified for illegal activity or possession.

C. After the student is given due process and parent(s)/guardian(s) are notified to come to school for a conference to inform them of their rights, the principal shall submit documented evidence and recommend to the superintendent that the student be expelled.

D. If the student wishes to return to school following the expulsion, the CORE Team shall meet with the parent(s)/guardian(s) and the student to prepare a contract for substance abuse counseling and/or education. The contract shall be signed by the principal, student, and parent(s)/guardian(s).

E. Following expulsion, the student will return to school on probationary status. During the specific time of probation, established by the CORE Team, the student shall be required to (a) complete any unfinished stipulations in the contract, (b) maintain a record free from any further involvement with controlled substances and/or alcohol, and (c) function within certain limitations specific to school activities and those imposed by the CORE Team or the superintendent.

F. The superintendent may recommend the permanent expulsion of any student who is sixteen years of age or older for two or more violations as defined in this section (III) of this policy.

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

A. If sufficient evidence indicates that the non-student/visitor is distributing controlled substances and/or alcohol to students, the administrator shall immediately notify the appropriate law enforcement officials.

B. If the individual is suspected to be under the influence of, or in the possession of, a controlled substance and/or alcohol, the administrator shall request that he/she leaves the school campus and/or the administrator shall contact the appropriate law enforcement officials.

C. If the individual ignores the administrator's request to leave the campus or is disruptive or disorderly, the administrator shall contact the appropriate law enforcement officials.

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

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

VI. The possession of an imitation controlled substance:

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

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

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

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

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

Substance Abuse
Drug/Alcohol Counseling

Employees seeking counseling and assistance for drug or alcohol related problems may seek assistance by contacting the West Virginia Information and Referral Service at 211.
24. **Dress Code**

Students may choose their own styles of dress and hair unless they disrupt the learning process or constitute a health or safety hazard. The principal shall determine when a student’s personal hygiene, appearance, or dress is such that it disrupts or interferes with the educational process or endangers the health or safety of students and others.

25. **Penalty for Violation of Substance Abuse by Graduating Students**

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

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

A. At the beginning of the school year, the principal must announce over the public address system on several occasions within the first weeks of school the following message to students:

1. The Board of Education and local law enforcement agencies have joined in a program to eliminate the use of drugs in county schools.

2. The program will work as follows:
   a. At times, unannounced and randomly selected during the school year, police will bring to the school a dog or dogs trained to detect drugs.
   b. The police, the dog(s), and members of school staff will tour school buildings and grounds.

Related References: Search of Students, Student Lockers, and Student Vehicles
Substance Abuse Policy

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

A. Search of Students

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

Guidelines for the Search of Students

1. The search follows a determination that information and circumstances exist to support a reasonable belief that a search is necessary.
2. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.

3. The form of the search is reasonably related to the objectives of the search. In other words, one would not search a student's pockets to seek a missing library book.

4. The nature of the search is not excessively intrusive in light of the student's age and sex and in consideration of the alleged infraction or suspicion.

5. Students shall not be asked nor required to disrobe unless exigent circumstances necessitate an immediate search in order to ensure the safety of the student or others.

6. Students may be directed to display the interior of and to empty the pockets of any extra/outer garment, coat, jacket, or sweater in their possession. They may be directed to display the contents of the pockets of any garment they are wearing and to remove and "shake-out" their shoes and socks.

7. Students may be directed to remove and display the contents of objects in their possession such as wallets, purses, briefcases, or book bags provided the request is made pursuant to the above standards.

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

B. Search of School and Student Lockers

1. A principal, assistant principal or school security guard of a public school may make a search of the physical plant of the school and its appurtenances including the lockers of students.

2. The right of the school official to search the locker shall be announced or published previously in the school.

3. The right to make a search of the lockers of students is limited by a need to have reasonable grounds for the search and to conduct a reasonable search, a search reasonably related to the objective of the search and not excessively intrusive to the student.
Guidelines for the Search of Student Lockers:

1. The search follows a determination that information and circumstances exist to support a reasonable belief that a search is necessary.

2. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.

3. The form of the search is reasonably related to the objectives of the search.

4. When the locker to be searched is assigned to a particular student and the student is on school premises at the time of the search, the student may be notified (when practical and prudent) prior to the search and may be given the opportunity to be present during the search.

5. Police officers, upon the authority of a search warrant; may make a search of that part of the school premises described in the search warrant, and school officials should cooperate in performing the search.

6. Investigative searches of school premises by police officers shall be permitted only upon the authority of a search warrant or in any case where the search is essential to prevent imminent danger to the safety or welfare of the student or other persons or school property. The search may not include a student's assigned locker unless specified in the search warrant.

7. Every effort shall be made to conduct searches in a manner that will minimize a disruption of the normal school routine and minimize embarrassment to students affected.

C. Search of Student Vehicles

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

2. A determination has been made that information and circumstances exist to support a reasonable belief that a search is necessary.

3. The search is conducted by a school principal or assistant principal only, and it is performed in a reasonable and restrained fashion in the presence of a third party.

4. The form of the search is reasonably related to the objectives of the search.

5. When the vehicle to be searched is, belongs, or is used by/assigned to a particular student and the student is on school premises at the time of the search, the student shall be notified (when practical
and prudent) prior to the search and shall be given the opportunity to be present during the search.

Related References: Due Process, Police-Questioning on School Premises, Use of Drug Detection Dogs, Penalty for Violation of Substance Abuse Policy, and Substance Abuse Policy

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

1. Introduction and Purpose

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

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

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

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

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

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

2. Privileges and Background

The use of the Internet as part of an educational program is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. Based upon acceptable use of guidelines outlined in this document, the West Virginia Department of Education (WVDE) and WVNET system administrators and Jefferson County Schools will deem what is inappropriate use, and their decision is final. Also, system administrators and/or local teachers/administrators may deny user access at any time, as necessary. Users must be in compliance with the rules and regulations of West Virginia Board of Education Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet (http://wvde.state.wv.us/policies/p2460.html).

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

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

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

3. Security

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

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

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

4. Parental Consent

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

5. Acceptable Use and Behavior

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

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

- Network and system files;
- User files and disk space utilization;
- User applications and bandwidth utilization;
- User document files, folders and electronic communications;
- E-mail;
- Internet access; and
- Any and all information transmitted or received in connection with networks, e-mail use and web-based tools.
A. The use of the Internet must be in support of education and consistent with the educational objectives of the West Virginia Board of Education. Use of other networks or computing resources must comply with the rules appropriate for that network.

B. Users must also be in compliance with the rules and regulations of West Virginia Policy 2460: Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and Internet Policy.

C. Treat others on the Internet the way you would treat people in person. Jefferson County Schools will not tolerate cyber bullying (see Jefferson County policy Expected Behavior in Safe and Supportive Schools). Users will not be permitted to send and/or post abusive messages to others. If a student bullies another person while using the Jefferson County Schools' Internet or other networks, the educators in the district have the right to discontinue his/her use of the system and/or to impose further disciplinary action up to and including suspension or expulsion.

D. Proper codes of conduct in electronic communication must be used. Giving out personal information is inappropriate. When using email, extreme caution must always be taken in revealing any information of a personal nature. Emails other than K12 accounts or LiveGrades accounts should not be used at school.

E. **K12 Email:** WVDE can monitor the email accounts issued to the “k12.wv.us” server, which is administered by the WVDE. Non-“k12.wv.us” email accounts should not be used for school/educational purposes. All liability for any non-“k12.wv.us” email accounts lies with the administrator(s) and/or educator(s) responsible for student utilization of alternative accounts or the administrator(s) and/or educator(s) identified as responsible for the server being used. In order to be issued a “k12.wv.us” email account, users will be required to receive training on appropriate email use. Contact your teacher or school “k12.wv.us” email contact for more information.

F. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.

G. Exhibit exemplary behavior on the network as a representative of your school and community. Use appropriate language.

H. Comply with fair-use laws and other copyright regulations while accessing and utilizing the Internet and other network materials and resources.

6. **User Responsibilities**

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

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

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

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

D. **Educator Responsibilities**

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

E. **Collaboration, resource sharing, and student/teacher, student/student, and teacher/parent dialogue** can all be facilitated by the use of social media and other electronic communication. Such interactivity outside of the school walls can greatly enhance face-to-face classes. However, it is imperative that a clear line be drawn between personal social networking and professional/educational networking to protect the safety of the students and the integrity of educational professionals and service staff.

F. **In order to assist educators in maintaining a professional relationship with students and to avoid situations that could lead to**
inappropriate relationships between school personnel and students, the following regulations apply to all school personnel. Failure to adhere to these regulations may result in disciplinary action and/or loss of licensure:

- School personnel will maintain a professional relationship with all school students, both inside and outside the classroom and while using any form of social media and other electronic communication. Unethical conduct includes but is not limited to committing any act of harassment as defined by district policy; committing or soliciting any sexual act from any minor or any student regardless of age; soliciting, encouraging, or consummating a romantic or inappropriate relationship with a student, regardless of the age of the student; using inappropriate language including, but not limited to, swearing and improper sexual comments; taking inappropriate pictures (digital, photographic or video) of students or exchanging any inappropriate pictures with students; or engaging in any other behavior that constitutes a violation of county policy or that is detrimental to the health and welfare of students.

- The viewing, storing, transmission or downloading of pornography or sexually suggestive or sexually explicit material or text on a work computer or other electronic storage or communication device, whether at home or at work, by school personnel or anyone else to whom the school personnel has made the computer or other electronic storage or communication device available, is prohibited. This same prohibition applies to a personal computer or other electronic storage or communication device while at school or a school activity.

- All information stored within work computers or servers is the property of the state, county or school, and the personnel using such computers/servers/networks have no expectation of privacy with respect to its contents.

School personnel who receive information via any electronic resource, including a social networking site that falls under the mandatory reporting requirements of W. Va. Code § 49-2-803, must report as indicated in W. Va. Code. Under federal law, employees violating the copyright laws may be subject to fines, confiscation of material, and other prosecution. Violations may also result in the employee’s suspension and/or dismissal for insubordination under W. Va. Code §18A-2-8.
School personnel are responsible for protecting their passwords associated with their computers and e-mail address and must not make them accessible to others.

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

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

7. County/School Website Publication

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

8. Passwords

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

9. Network Policies and Miscellaneous Technology Use

A. Off-site Use of County Property District/school equipment that is used off site is subject to the same rules as when used on site.

B. Prohibitions on Camera/Audio Recording

Camera or audio recording functions of electronic devices may pose threats to the personal privacy of individuals, be used to exploit personal information, and or compromise the
integrity of educational programs. Accordingly, the use of the audio recording or camera functions of electronic devices is strictly prohibited on school premises at all times.

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

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

C. Personal Technology Devices

1. Students

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

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

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

3. Vendors and Other School Visitors

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

10. Violations/Sanctions

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

11. Disclaimers/Conclusions

A. Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), notice is hereby given that there are no facilities provided by this system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.

B. WVDE, WVNET and Jefferson County Schools will not be responsible for any damages you may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by your own negligence or your errors.
or omissions. Use of any information obtained is at your own risk.

C. WVDE, WVNET and Jefferson County Schools make no warranties (expressed or implied) with regard to any costs or charges incurred as a result of seeing or accepting any information and any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.

D. WVDE, WVNET, and Jefferson County Schools deny any responsibility for the accuracy or quality of information obtained through the system.

E. All provisions of this agreement are subordinate to local, state and federal statutes.

F. This policy is in compliance with state and federal telecommunications rules and regulations.
Parental Consent Form for the Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet

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

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

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

Student Name (please print) _____________________________________

Student Signature _______________________________________

Parent or Guardian (please print)_____________________________________

Parent or Guardian Signature________________________________________

Date ________________________________

School Name______________________________________________________

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

Training - Date Completed_______________________________________________

Trainer's Initials ______________________________________________________

“Excellence in Teaching and Learning”
29. Tobacco Control Policy

I. Application

A. This policy shall apply at all times to any building, property or vehicle leased, owned or operated by the Jefferson County Board of Education. This policy shall apply to any private building, or other property including automobiles or other vehicles used for school activities when students and/or staff are present.

B. No person shall distribute or use any tobacco product in any area defined in Section A of this policy at any time.

C. “Tobacco Product” is defined to include but not be limited to cigarettes, pipes, cigars or other implement, designed, used or employed for smoking any tobacco product, of any type as well as alternative nicotine products or vapor products and tobacco products that may be placed in the mouth or nose.

D. Individuals supervising students off school grounds are prohibited from distributing or using any tobacco product while in the presence of students or any time while engaged in any activities directly involving students.

E. No school or board property as defined in Section A of this policy, or school or county publication may be used for advertising any tobacco product.

F. Groups using areas described in Section A shall sign agreements with the Board of Education agreeing to comply with this policy and to inform students, parents, and spectators that this policy remains in force on evenings, weekends, and other times that school is not in session.

II. Prevention

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

III. Implementation

A. Every school in the county school district shall have a Tobacco Control Policy that meets the stipulations of this policy and adheres to the following guidelines. This policy serves as school policy except where the need for school-level procedures or measures is indicated. Compliance is mandatory. Schools may impose additional strategies and restrictions not outlined in county policy provided they meet the tenets and intent of the county policy.

B. Administration: Administration procedures for dealing with tobacco are the responsibility of all county and school
administrators as follows:

1. It is the responsibility of each school administrator to implement provisions of this policy within their schools, specifically education, communication, and enforcement provisions as outlined in this policy.

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

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

IV. Enforcement

A. Students

1. First Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, advised as to availability of cessation classes and referred to law enforcement.

2. Second Offense: Notice to parents, one day in-school suspension, completion of an educational activity related to health hazards associated with tobacco use as prescribed by school administration, recommendation for attendance in a tobacco cessation class at the student's expense and referred to law enforcement.

3. Third and Each Additional Offense: Same as "2" above plus twenty hours of community/school service approved by the school administration and referred to law enforcement.

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

1. First Offense: Offenders shall be asked by the school employee who witnesses the incident to cease the use of tobacco products.

2. Repeat Offenders: Repeat offenders shall be notified by certified letter by the school principal that they are banned
from all Jefferson County Board of Education property for a period of not less than one year. This letter will be copied to law enforcement.

3. Failure by offenders to abide by the notice shall result in the filing of a complaint with law enforcement by the building administrator.

30. Student Activities and Organizations

Students of the host school will be admitted without charge to all events held during the instructional day. These events include sporting events, clubs, and programs. An admission fee may be charged for any event that is held after the instructional day.

1. Club Guidelines

All clubs should be pupil designed, pupil organized and pupil directed under advisorship of a faculty member(s) of the Jefferson County Public Schools. Club activities must be centralized under school direction and control. No club will exist in the school without the approval of the principal and faculty council. Final veto power on all undertakings will be in the hands of the principal, for it is he/she to whom the authorities delegate the responsibility for a successful school. The principal and the faculty council will give authoritative sanction for the operation of all clubs or organizations in the school. The principal will be the final arbitrator in all cases requiring decisions.

A. Requirements: All clubs must submit the following before becoming a part of the school’s program:

1. Name of club
2. Name of faculty member(s) and officers
3. By-laws
4. Purpose
5. Program of activities (annually)
6. Budget for the year (annually)
7. Ways and means of raising funds (annually)
8. Summary at the end of the year (annually)

B. Supervision

1. Co-curricular Clubs
   (a) All clubs must have a faculty advisor/supervisor who will be present at all general meetings and at those of the executive committee.
   (b) The field of supervision should be one of guidance and
cooperative leadership in which the advisor will give advice rather than assume complete control.


C. Membership

1. Membership should be limited to students only or according to national or state constitutions of the particular club or organization.

2. Club membership must be open to all students eligible for membership. Under no condition should members decide whether or not eligible prospective members become active members.

D. Finances

1. All financial transactions must be transacted through the main office.

2. Applications for fund raising projects must be completed, signed by the faculty advisor/supervisor, submitted to the Director of Student Activity and approved before any sales are made or orders taken.

3. Applications for fund raising projects will be approved in accordance to the budget and, also, ways and means of raising funds submitted at the beginning of the year.

4. No application will be approved for fund raising that does not have a definite purpose or a necessity.

E. Club Activities

1. Will be considered as intra-school activities and under no condition will they neither jeopardize nor interfere with the basic curriculum of the school.

2. Must be adapted to the school and students of the school.

3. Will be considered as part of the school’s total program.

4. Should arise out of the curricular life of the school, should be constructive and motivating in character, and should be promoted according to their educational and recreational values.

5. All initiations must meet the approval of the principal and the faculty council.

6. No hazing shall be permitted.

7. All meetings should be held in the school building and during the school day. Special permission for after-school meetings will be granted at the request of the advisor made twenty-four (24) hours in advance of the meeting. The advisor/supervisor will be responsible for cleaning and arrangement of furniture after the
8. The cooperation of parents should be sought in order that they may understand and appreciate the meanings and the purpose of such activities in order that they may be valuable in stimulating interest in the total school program.

9. All students enrolled in a given school with the county shall, regardless of race, color, national origin, religion, language, sex or handicapping condition, be eligible for participation in clubs. However, at all times, the principal and the board of education will maintain authority over the school to maintain order and discipline, to protect the safety and well-being of employees and students on the premises and to insure that group meetings is purely voluntary. Further, no meeting that is otherwise unlawful shall be permitted.

10. Following review of the Application for Recognition as a Non-curriculum Related Student Group, the principal will indicate approval or rejection, providing a copy of the application, with approval or rejection noted thereon, to the student group, or its designee, and to the central office administrator designated. Any person aggrieved by the decision of the Principal may appeal using the student grievance/appeal process.

11. Student groups, meeting pursuant to this policy, must abide by all school rules of conduct including, but not limited to, orderly and non-disruptive behavior; respecting the rights of others in the building not to participate; and not causing damage to the school facility or to any person therein. Student groups shall not engage in any activity that is contrary to law. Failure to comply with these provisions shall be grounds of revocation of the approval as a non-curriculum related student group.

12. It is the intent of this Board of Education to comply with the Equal Access Act, set forth at 20 U.S.C. 4071 et seq., and this policy shall not be interpreted to abridge the constitutional right of any person.

31. **Limited Open Forum**

It is the policy of this Board of Education that Jefferson County secondary schools will provide equal access or fair opportunity to any students who wish to organize and conduct voluntary meetings during non-instructional time for non-curriculum related purposes. In order to implement this policy, the following guidelines apply:

A. Non-curriculum related student groups shall apply directly to the principal for recognition as a “non-curriculum related student group.”

B. Each secondary school in Jefferson County shall have a time period
designated during non-instructional time for the meeting of such clubs. If this time period is during the regular school day:

1. The principal shall schedule it at a time when there are alternative activities for any students who do not wish to participate in any of the non-curriculum related activities scheduled.

2. The principal will schedule it at a time when the meetings do not materially or substantially interfere with educational activities within the school.

C. The meeting of non-curriculum related student groups must be voluntary and student initiated.

D. No non-curriculum related student group will be sponsored, initiated, lead or promoted by any employee of the Jefferson County Board of Education; however, an employee of the Board of Education may be assigned to group meetings for custodial/supervisory and non-participatory purposes only.

E. No Board of Education employee may be compelled to attend a meeting/activity of the group if the content of the speech at the meeting is contrary to the beliefs of the employee. However, all such groups will be subject to monitoring and supervision by the Board of Education to assure the safety of the participants and safeguard the Board of Education facility.

F. Persons who are not students and who are not employees of the Board of Education may not conduct, control or regularly attend meetings of the non-curriculum related student groups. Any occasional non-speaker or guest attending such meetings will be required to check in with the school office upon arrival and to abide by all other school rules applicable to visitors to the building.

G. No expenditure of public funds, by the school or by the Board of Education, beyond the incidental costs, if any, relating to providing space for the group meetings, is permitted.

H. Groups recognized as non-curriculum related student groups will have access to, as applicable, the school newspaper, bulletin board, public address system on the same basis as curricular groups or clubs.

However, any literature, bulletins, articles or announcements made by the non-curriculum related student group shall contain the following disclaimer:

Neither the Jefferson County Board of Education nor any of its agents or employees sponsor or endorse this club/group. The views expressed may or may not reflect those of the county or school administration and are neither approved nor disapproved by them.

I. Building principals shall review the application of any and all student
groups who seek recognition as a non-curriculum related student group to conduct meetings during non-instructional time within the constraints of this policy.

In reviewing such applications, the principals shall apply the guidelines set forth in this policy. No applications will be denied due to the numerical size of the group or on the basis of religious, political, philosophical beliefs of the group or the content of speech at the meetings.

32. Employment of Students

Where students are employed by the Board, such as cafeteria workers, their salaries shall be consistent with the current Federal Minimum Salary Standards Regulations.

33. Police Questioning on School Premises

A. Police investigations involving the questioning of students may not be permitted on school premises unless in connection with a crime committed on the premises or in connection with an investigation which, if not immediately pursued, would compromise the success of that investigation or endanger the lives or safety of the students or other persons. A school official should be present throughout that questioning.

B. A local school system shall permit personnel from the West Virginia Department of Health and Human Resources or a police officer to question a student on school premises during the school day in an investigation involving suspected child abuse or neglect.

1. The local building administrator shall determine, after consultation with the individual from the local Department of Health and Human Resources or the police officer, whether a school official shall be present during the questioning of a student pursuant to Section B.

2. Records and reports concerning suspected student abuse or neglect are confidential and unauthorized disclosure is a criminal offense.

C. Except as provided in Section D, whenever investigative questioning of students is permitted on the premises, the school official shall promptly advise the parent/legal guardian and superintendent’s office of the nature of the investigation and such other details as may be appropriate.

D. School officials are not required to notify parents or guardians of investigations on school premises involving suspected parental child abuse or neglect.

E. In the absence of an arrest, school officials may not authorize the removal of a pupil from school for the purpose of investigative questioning without the consent of the parent or guardian except as provided below:

1. A student may be removed from school premises by the local social service agency if the student is a suspected victim of child
abuse or neglect and the West Virginia Department of Health and Human Resources has guardianship of the child or has a court order to remove the child.

2. The building administrator shall ensure that prompt notification of a student's removal from school by the local social service agency under this section is made to the student's parent or guardian.

34. Removal of Suspected Abused or Neglected Student from School Premises

1. In the absence of an arrest, school officials may not authorize the removal of a student from school for the purpose of investigative questioning without the consent of the parent or guardians, except as provided below:

   a. A student may be removed from school premises by the West Virginia Department of Health and Human Resources if that student is a suspected victim of child abuse or neglect and the West Virginia Department of Health and Human Resources has guardianship of the child or a court order to remove the child.

   b. The building administrator shall ensure that prompt notification of a student’s removal by the West Virginia Department of Health and Human Resources from school under this section is made to the student’s parent or guardians.

2. Any person, official or institution participating in good faith in any act permitted or required by this article shall be immune from any civil or criminal liability that otherwise might result by reason of such action.

3. The West Virginia Department of Health and Human Resources may remove a child from school premises if:

   a. The investigating agency has custody or guardianship of the child; or

   b. It has a court order; or

   c. Its representative states, that to protect the suspected abused or neglected child, he/she must be removed from school. The school principal will promptly notify the parent/legal guardian of such action by the West Virginia Department of Health and Human Resources.

Related Reference: Police Questioning on School Premises
35. Dissemination of Written Materials

1. Dissemination of Written Materials on School Property by Students

The principal of each school shall have the responsibility for establishing the time, place and manner of the dissemination of written materials by students. Such area must not interfere with the normal movement of students through the school or materially or substantially interfere with the educational activities within the school. However, the freedom of students to disseminate written materials may not be abridged or denied based upon the content of the materials unless such materials are obscene, libelous, slanderous or defamatory, or the materials create a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, the material and substantial disruption of the orderly operation of the school, or violate the rights of others to privacy.

2. Dissemination of Written Materials by Non-Students on School Property

The principal of each school shall have the responsibility for establishing the time, place and manner for members of the community, non-students, to make written materials or pamphlets available to students. In so doing, the principal shall be acting in a custodial capacity only, supervising access to the facility, and shall not be deemed to sponsor or promote the dissemination of material referenced herein.

Individuals wishing to distribute materials pursuant to this policy must advise the principal in advance of disseminating materials, providing a copy of the proposed materials to the principal for review, to determine any unlawful content within the meaning of this policy. If the material is deemed not prohibited pursuant to this policy, the non-student will obtain information concerning the location, time, and date for the dissemination of the materials.

The ability of non-students to disseminate written materials may not be abridged or denied based upon the content of the materials unless such materials are obscene, libelous, slanderous or defamatory, or the materials create a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, the material and substantial disruption of the orderly operation of the school, or violate the rights of others to privacy.

Any person in the school for the purposes of this policy shall abide by all rules, policies and procedures applicable to visitors in the school including, but not limited to, checking in at the office upon arrival and when leaving, abiding by rules of conduct for persons in the building and not disrupting the educational pursuits at the school, including the movement of students within the school, or causing harm or damage to building occupants or the facility.

Written materials disseminated pursuant to policy must contain the following disclaimer:
36. **Simulated Workplace Drug Free Policy**

**Purpose.** Jefferson County Schools understands the growing demand businesses have for work-ready employees. The focus on preparing student capable of solving problems, who possess necessary skills in Science, Technology, Engineering, and Mathematics, (STEM), must be expanded to include characteristics of cooperation, attendance, a drug-free lifestyle, and a commitment for self-improvement. Students participating in the Simulated Workplace Program at Jefferson County School’s High Schools and Career and Technical Centers will be provided with rigorous training while developing values and skills necessary to be work-ready and productive employees after program completion. Drug testing is a requirement of participants in the Simulated Workplace Program. Students must agree to random drug testing while participating in the program. Discovery and prevention of possible drug-related problems and the establishment of procedures that will ensure students are drug-free and prepared for work are necessary.

**Procedures.**

Any student participating in a Workplace Simulation Program shall comply with any and all procedures in this policy.

Students must complete and submit the “Student Drug Testing Consent Form” to be eligible to participate in the Simulated Workplace Program. Incomplete forms will be returned to the student and placement in the program will be halted.

Students interested in the Simulated Workplace Program will receive a copy of this policy.

Prior to commencement of drug testing, students in the Simulated Workplace Program and their parents will meet with instructors who will discuss the testing procedures and answer questions from students and/or parents.

The drug testing program shall be administered in a manner such that all completers of a program will be tested at least once.

When the administration has reasonable suspicion of drug use by a particular student, a drug test may be required.

Any drug use test shall be administered by a drug testing service chosen by Jefferson County
Schools.

All aspects of the drug testing program will follow industry standards.

Students not able to provide an adequate specimen at testing time will be unable to participate until a proper specimen is provided. If at any time during the testing procedure the screening agency’s monitor has reason to believe or suspect that a student is tampering with the specimen, the monitor will stop the procedure and inform the principal or principal designee who will then determine if a new sample should be obtained.

Any participating student who uses an over-the-counter substance which may contain alcohol, cause drowsiness, or impair his/her ability to perform normal functions shall inform the instructor on any/every instructional day on which the substance is used.

In the event of a positive drug test result, the drug testing service shall notify the principal or the designee immediately. The principal or the designee shall notify the student and the parents or guardians, the superintendent, and the home-school principal.

In the event of a positive drug test result:

The drug testing service shall notify the principal or the designee of any positive test.

The principal or the designee shall notify the student and the parents or guardian, the superintendent, and the home-school principal.

The student shall be referred to the home-school counselor and shall submit to another drug test after a two week period. Throughout the period between drug tests, the student will be restricted from using dangerous machinery and will participate in a project reinforcing the concepts of a drug-free workplace.

If the student test results are positive a second time, the drug testing service shall notify the principal or the designee and report numbers to be compared to the first test to determine if those numbers reflect a decrease in concentration levels of the substance in question. The principal shall notify the student and the parents or guardian, the superintendent, and the home-school principal of the test results.

In the event that the test proves the student is continuing to actively use controlled or illegal substances, in order to continue in the program, the student shall be required to enroll in and attend, at the expense of the parent/guardian, an alcohol/drug education treatment program from a licensed substance abuse treatment facility. The student will continue to be restricted from using dangerous machinery and certain classroom equipment, and he or she will be dismissed from the program at the end of the semester, if subsequent testing shows the student is continuing to use controlled or illegal substances. However, if at the end of the semester the student is drug-free and with regular testing continues to be drug-free, he or she may continue in the program with the recommendation of the substance abuse counselor and the teacher.
Administration.

The principal will notify parents through a letter that their child was randomly selected and tested within one day of the test.

The principal will be notified with results of all drug testing and shall then notify the student, the parents or guardians, the home-school principal, and the superintendent of schools of those students who test positive.

Test will only be used to determine eligibility to participate in the Workplace Simulation Program and/or for submitting referrals to the school counselor. The results will not be used to suspend or expel a student from school, will not be included in the student’s disciplinary record, and will not be communicated to any party, other than as may be required by this administrative regulation.

Students having a positive drug screen shall be referred to the school’s principal and counselor.

The home school counselor will provide information on treatment programs and other available resources in the community, and students will be encouraged to seek counseling and treatment at their own expense.

Test results shall be kept confidential and will be kept separate from the student’s regular school files.

Test results will not be communicated to any outside agency. The only exception is through issuance of a subpoena.

Severability. If any portion of this policy or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this policy.
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