

## INTRODUCTION

The Kanawha County School System is charged with the responsibility of providing for the intellectual, social, physical, and emotional needs of all students. In order to do this in a manner that reflects equity and consistency, it is imperative that certain policies and procedures be communicated to all parents who have students in Kanawha County Schools; the purpose of this document is to share these common policies and procedures.

**The information contained in this handbook has been reviewed and is considered current as of the date of publication. However, the rules, regulations and policies set forth herein are subject to change from time to time.**

## TABLE OF CONTENTS

Administration of Medication .....
Administration Team .....
Alternative Education.....
Asbestos Management Plan.....
Athletics .....
Attendance Policy.....
Authority of Teachers .....
Ben Franklin & Carver Career & Technical Education Centers .....
Board of Education Member .....
Bullying, Harassment and Intimidation .....
Career Clusters and Concentrations.....
Citizen Appeal Procedure .....
Citizen Complaints Policy.....
Class Ranking.....
Classroom/School Visitation .....
Code of Conduct .....
Commencement Recognition.....
Community Education Program .....
Credit for Courses Below Grade 9.....
Credit Recovery Program .....
Directory Information Refusal Form .....
Documentation for Admission to School.....
Dual Credit Options .....
EDGE
Elementary Curriculum .....
English as a Second Language (ESL) Program.....
Federal Law Summary Sheet .....
Frequently Called Numbers.....
Grading Scale .....
Grievance Procedure 504/ADA.....
Head Start.....
High School Curriculum .....
Homebound Education .....
Homework Policy.....
Honors and Advanced Education .....
Immunization Requirements.....
Individual Student Transition Plan/Career Clusters.....
Integrated Pest Management.....
Kanawha County Belief Statement.....
Kanawha County Goals.....
Kanawha County Mission Statement .....
Kanawha County Schools Preschool Program.....
Local School Improvement Councils .....

Magnet Schools .....  
 Medical homebound instruction .....  
 Middle Level Education.....  
 Nondiscrimination on the Basis of Disability Policy.....  
 Parent Resource Center .....  
 Progress Reports .....  
 Promise Scholarship .....  
 Promotion and Classification of Students K-5 Policy .....  
 Promotion and Classification of Students Secondary Policy  
 Promotion, Retention & Classification.....  
 Racial, Sexual, Religious/Ethnic Harassment  
 &Violence Policy (2421) .....  
 School Bus Rules and Regulations.....  
 School Calendar.....  
 School Closing due to Inclement Weather .....  
 School Health Services .....  
 School Lunch .....  
 Special Education .....  
 Student Assistant Team Process .....  
 Student Behavior/Weapons .....  
 Student Dress Policy .....  
 Student Group Insurance.....  
 Student Rights and Responsibilities .....  
 Student Telecommunications Network Access .....  
 Superintendent's Letter .....  
 Sub-district Transfers .....  
 Testing  
 Textbooks.....  
 Title IX Grievance Procedure.....  
 Title I .....  
 Transfer Students .....  
 Use of the Telephone .....  
 Volunteers in the Schools.....  
 Work-Based Learning.....

## **Dear Community Members:**

This parent handbook was a cooperative effort of the Kanawha County Schools, Charleston Newspapers, and community business sponsors. We are proud that this publication will be in the hands of many community members. Over the years, educators have become increasingly aware of the importance of family and community involvement in our children's education. We have a tough job of educating both the minds and hearts of our children. Together, we can work to take care of our children and our schools.

As we enter into a new school year, all of us play a central role in this great endeavor to educate our children. We must drive home the message to our children that what they choose to do today determines how they will live tomorrow. As parents, community members, and educators, we must demonstrate to our children that we are committed, caring and involved in helping our young people strive for behaviors that invite success.

It is our hope that this publication will provide everyone with the necessary information to better communicate with the schools and central office employees. We continually strive to better serve you and the students in opening the lines of communication and providing a better education for our children. You may also contact us through our various social media feeds. i.e. twitter, Facebook, on-line app.

## **Kanawha County Board of Education Members**

### **Ric Cavender**

Mr. Ric Cavender was elected for his first term on the Kanawha County Board of Education in 2016. Ric is the Executive Director of Charleston Main Streets, a non-profit collaborative connection with two Nationally Certified Main Street districts on the West Side and East End of Charleston, focusing on economic development, community development, business district marketing, and public space improvements. Since the programs' inceptions, the districts have experienced public and private investments totaling over \$420 million. He has a combined 16 years of nonprofit and business development experience in Kanawha County. A 2000 graduate of Sissonville High School and 2005 graduate of West Virginia State University (Business Administration - Management & Marketing), Ric sits on the Boards of Directors of several organizations throughout the valley, including the YMCA of Kanawha Valley, the Religious Coalition for Community Renewal (RCCR), and the West Virginia State University Foundation. He is a 2015 graduate of Leadership West Virginia and serves on the Marketing Committees for the Charleston Convention & Visitors Bureau and FestivALL Charleston, as well as the Economic Development Committee of the Regional Intergovernmental Council. Ric resides on the East End of Charleston with his wife Beth, a Neonatal Intensive Care Nurse at CAMC, and their sons Silas (entering 2nd grade at Piedmont Elementary) and Zeke.

### **Jim Joseph Crawford, Sr.**

Mr. Jim Crawford Sr. has served on the Kanawha County Board of Education since 2000. Mr. Crawford graduated from Winfield High School, West Virginia State University at Institute, where he played varsity football and received a Bachelor of Science Degree in Education. He received his MA Degree in Education from West Virginia University. He and his wife Marilyn are the parents of one son who also teaches in the school system. Jim Sr. is a retired teacher/coach from St. Albans High School having served the Kanawha County School system for thirty-nine years and served as an assistant football coach, golf coach, Head Wrestling Coach, Head Girls Track Coach, and Athletic Director. Mr. Crawford was a past President of the West Virginia School Boards Association.

### **Becky Jones Jordon**

Becky Jones Jordon is a lifelong resident of Charleston. She is a graduate of Stonewall Jackson High School, received a bachelors in Social Work from West Virginia University and a Masters in Social Work from WVU. Mrs. Jordon has been a very active parent volunteer in Kanawha County Schools for many years. She is a member of the National

Association of Social Workers and has been a social worker for many years in the Kanawha Valley. She resides in Charleston with her husband Andrew. She is stepmother to Stephanie and Emily, and mother to Tyler and Andi. All of their children have attended Kanawha County Schools.

#### **Pete Thaw**

Mr. William P. (Pete) Thaw was elected to a four-year term on the Kanawha County Board of Education that began in July 1, 1998. He is a graduate of Morris Harvey College, where he was a recipient of the Claude J. Davis Award. He served as Mayor of Sistersville from 1960-1969; Deputy Secretary of State of WV 1969-1973; Executive Assistant in the Governor's Office of Economic and Community Development 1977-80; and Director of Manpower Planning (CETA & JTPA) 1980-1985. During the final 11 years of service to the State of W.Va., Mr. Thaw served as State Presiding Judge for the WV Racing Commission. Mr. Thaw was appointed to the Charleston Planning Commission and served from January 1996-98. He is the father of one son, Robert F. Thaw, who is a graduate of George Washington High in Kanawha County and West Virginia Institute of Technology. He and his wife, Patricia B. Thaw, reside on Fort Hill in Charleston. The Thaws have two grandchildren, Carly Rea Thaw, who is a student at American University in Washington, DC and Robert William Thaw, who is currently a student at George Washington High School.

#### **Ryan White**

Ryan White was elected to the board of education for a four year term beginning July 1, 2014. He and his wife Kate have two boys, Jackson and Cameron. He runs a law firm with his father, Steve White, known as White Law Offices, PLLC which is a boutique transactional firm that focuses on public finance and government relations law. Ryan's prior public service include serving as a law clerk to the Honorable Judge Joseph Robert Goodwin in 2005-2006, counsel to the West Virginia Senate Finance and Economic Development Committees in the 2009, 2010 and 2011 legislative session and serving on Governor Tomblin's Natural Gas Vehicle Task Force in 2012-2013. Ryan graduated from the University of Michigan with a BA in Political Science in 2001 and graduated from the West Virginia University College of Law with a J.D. in 2005. Ryan has been very active in the Kanawha Community serving as Co-Chair of Generation Charleston, President of the East End Community Association and as a board member of Kids Chance of West Virginia.

#### **Ron Duerring**

Ron Duerring became Superintendent of Kanawha County Schools on Sept. 21, 1998. He came to Kanawha County Schools in 1975 as a teacher at Spring Hill Elementary and has since served as a consultant, principal, and assistant superintendent. When Dr. Duerring served as Principal at Grandview Elementary, Grandview was selected by the WV State Department of Education as a Blue Ribbon School. While serving as principal, he was selected by the Kanawha County PTA Council as Principal of the Year in 1996 and Superintendent of the Year in 2000 by the West Virginia Music Educator Association. In May of 2000, he was awarded the 13<sup>th</sup> Annual Hazo Carter Presidential Award for outstanding leadership. In May of 2003, he was awarded from Marshall University the Distinguished Graduate Student Alumnus Award. In 2008, he was awarded the Michael Prestera Award of Excellence. Dr. Duerring was asked in 2008 to serve as a governing board member on the Regional Educational Laboratory Board for action research. He was awarded membership into the International Who's Who of Professionals. Dr. Duerring is married and the father of one child, and lives in Charleston.

### **KANAWHA COUNTY SCHOOLS MISSION**

The mission of Kanawha County Schools is to provide a world-class education that ensures success for every student in the 21<sup>st</sup> century.

## KANAWHA COUNTY SCHOOLS BELIEF STATEMENTS

### We Believe:

1. All students CAN achieve.
2. Quality teaching is the key to student success.
3. Schools, parents and community must be partners in learning.
4. Schools must be safe and caring places.
5. All teachers must be teachers of 21<sup>st</sup> Century literacy skills.
6. Students and teachers must be prepared for life-long learning in a global society.
7. Effective leadership skills are essential for creating 21<sup>st</sup> Century schools.

## KANAWHA COUNTY SCHOOLS GOALS

- GOAL I: The achievement gap will be eliminated.
- GOAL II: All students will master or exceed grade level educational standards through quality instruction.
- GOAL III: Student achievement and time-on-task will increase through a safe, drug-free, and nurturing environment.
- GOAL IV: Student achievement will increase by integrating twenty-first century skills and technology tools throughout the curriculum.

## ADMINISTRATIVE TEAM

Ronald Duerring, Superintendent .....	348-7732
Tom Williams, Deputy Superintendent .....	348-7731
Lisa Wilcox, Treasurer .....	348-6691
Jim Withrow, General Counsel .....	348-7798

## ASSISTANT SUPERINTENDENTS

Jane Roberts, Elementary Education .....	348-1345
Lou Maynus, Middle Education .....	348-7787
Missy Ruddle, Curriculum & Instruction .....	348-6145
Mark Milam, High School/Technical & Adult Education .....	347-7484

## EXECUTIVE DIRECTORS

Brette Fraley, Transportation .....	348-6616
Charles Wilson, Facilities, Planning & Maintenance.....	348-6148
Carol Hamric, Human Resources .....	348-6656
Terry Hollandsworth, Maintenance & Energy Management <sub>3</sub> .....	348-6628

Diane Miller, Office of Child Nutrition ..... 348-6661  
 Charlie Warner, Security and Safety .....348-1346

**DIRECTORS**

Leila Sparks, Technology ..... 348-6116  
 Pam Padon, Federal Programs/Title I..... 348-6170  
 Alan Cummings, Purchasing & Supply Mgt..... 348-6120  
 Elaine Gayton, Staff Development/ESL ..... 348-6105  
 Stan Keller, Accounting..... 348-6679  
 Jerry Legg, Information Systems & Operation ..... 348-6180  
 Jon Duffy, Counseling & Testing ..... 348-7720  
 Carol Fleming..... 348-1942  
 James R Calhoun II, Executive Director Elementary Education..... 348-6144  
 Teresa Sauvageot, Community Education ..... 766-0378  
 Keith Vititoe .....348-1346

**SCHOOL SYSTEM COMMUNICATIONS**

Kanawha County Schools - web page - [kcs.kana.k12.wv.us](http://kcs.kana.k12.wv.us) and television station - KCS-TV provide the public with easy access to school system information.

**FREQUENTLY CALLED NUMBERS**

Accounts Payable - 348-6636  
 Alternative Education – 348-6135  
 Attendance – 348-1343

Budget and Finance - 348-6691

Counseling/Guidance – 348-7720  
 Curriculum and Instruction - 348-6145

Drug Education - 348-7740

Elementary Schools - 348-1345  
 Exceptional Students - 348-7740  
 ESL (English as a Second Language) - 348- 1375/348-6105

Food Services - 348-6660

GED Program – 348-6195  
 General Counsel - 348-7798

Head Start - 348-1942  
Health Services - 348-6694  
High Schools - 347-7483  
Homebound - 348-6694  
Human Resources - 348-7712 (Professional)  
- 348-7770 Ex 115 (Service)

Laidley Field - 348-1134

Mail Room - 348-7795  
Middle Schools - 348-7787

Payroll - 348-7750  
Preschool Special Needs - 348-1353  
Psychological Services - 348-1393  
Pupil Transportation - 348-6616

Records & Transcripts - 348-6633  
Regional Education Service Agency (RESA) - 766-7655  
Regulatory Training Center - 348-1346

Social Services - 348-1343  
Speech Therapy - 776-0355  
Staff Development - 348-6105  
Superintendent's Office - 348-7732

Technical/Adult Schools - 347-7483  
Television Studio (KCS) - 348-1914  
Testing - 348-7720  
Title I/Federal Programs - 348-6170  
Title IX - 348-1379  
Transportation - 348-6616  
Treasurer - 348-6691

Work Permits - 348-6666  
WV Employees Day Care Center - 348-6580  
WV-Pre K - 720-0420

**Highlights-Elaine Gayton**  
**2016-2017 KCS School Calendar**

**First Month - August**

03 - First Day for Teachers / 200 Day Employees/Faculty Senate

3-4 - CE Days

05 - Faculty Senate/Prep Day

08 - First Day for Pupils

19 – Early Out

**Second Month – September**

05 – Labor Day

07 - Mid Term Progress Reports

09 – Early Out

**Third Month - October**

07 –End of 1<sup>st</sup> Nine Weeks (44 Days)

10 – Parent/ Teacher Conferences / FS Day – No Students

11 – 2<sup>nd</sup> Nine Weeks Begins

14 – Early Out

**Fourth Month – November**

08 – Election Day (Schools & Offices Closed)

10 – Early Out

10 – Mid Term Progress

11 – Veterans Day Holiday

21-23 – Out of Calendar Days (Schools Closed)

24 – Thanksgiving Holiday

25 – OS Day (Schools & Offices Closed)

**Fifth Month – December**

16 – End of 1<sup>st</sup> Semester (86 Days)

16 – Early Out / Faculty Senate

19-23 – Out of Calendar Days (Schools Closed)

26 – Christmas Day Holiday

27-31 – Out of Calendar Days (Schools Closed)



**Sixth Month - January**

2 - New Year's Holiday

3 – 2<sup>nd</sup> Semester Begins

13 – Early Out

16 – M.L. King Jr. Holiday

**Seventh Month – February**

3 - Mid Term Progress Reports

10 – Early Out

20 CE Day (No Students)

**Eighth Month – March**

3 – Early Out/FS

10 – End of 3<sup>rd</sup> Nine Weeks (47 Days)

13 – 4<sup>th</sup> Nine Weeks Begin

**Ninth Month – April**

07 – Early Out

07 – Mid-terms

10-14 – Out of Calendar Days (Spring Break – Days during Spring Break may be used as make up days)

**Tenth Month – May**

12 – Early Out/Faculty Senate

23 – Last Day for Pupils (unless make up days are required)

23 – End of 2<sup>nd</sup> Semester (94 days)

24-26 – OS Days

29 – Memorial Day

30-31 – OS Days

**Eleventh Month - June**

1 – Preparation for Closing of Schools

2-30 – Out of Calendar Days – (All days through June 30 can now be used for make-up days if needed)

Twelfth Month – July  
4 – Independence Day

## DOCUMENTATION FOR ADMISSION TO SCHOOL

**18-2-5c** Birth certificate required upon admission to public school; required notice to local law enforcement agency of missing children.

(a) No pupil shall be admitted for the first time to any public school in this state unless the person enrolling the pupil presents a copy of the pupil's original birth record certified by the state registrar of vital statistics confirming the pupil's identity, age, and state file number of the original birth record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit explaining the inability to produce a certified copy of the birth record: provided, That if any person submitting such affidavit is in the U.S. military service and is in transit due to military orders, a three week extension shall be granted to such person for providing the birth records.

(b) Upon the failure of any person enrolling a pupil to furnish a certified copy of the pupil's birth record in conformance with subsection (a) above, the principal of the school in which the pupil is being enrolled or his designee shall immediately notify the local law enforcement agency. The notice to the local law enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.

(c) Within fourteen days after enrolling a transferred pupil, the principal of the school in which the pupil has been enrolled or his designee shall request that the principal or his designee of the school in which the pupil was previously enrolled transfer a certified copy of the pupil's birth record.

(d) Principals and their designees shall be immune from any civil or criminal liability in connection with any notice to a local law enforcement agency of a pupil lacking a birth certificate or failure to give such notice as required by this section.

## FIRST TIME SCHOOL ENTRY IMMUNIZATION REQUIREMENTS

According to state law, no student is to enter school without written documentation (month, day and year) for each dose of required immunization as given below: These requirements are for all students entering school in West Virginia for the first time in grades K-12.

TDap/DTP – Four (4) doses required; the last dose must be received on or after the 4<sup>th</sup> birthday.

(DT may be accepted if a medical excuse is signed by a physician or if the student is seven years of age or older)

Polio – Three (3) doses required; the last dose received on or after the 4<sup>th</sup> birthday.

Measles (Rubeola), Mumps and Rubella (MMR) – Two doses, first dose received after the first birthday.

Varicella -- Two doses, first dose received after the first birthday.

Hepatitis B – Three doses, last dose received after the age of six months.

Tuberculosis testing is NO LONGER required for entry into preschool or kindergarten in West Virginia schools. The TB test

is also no longer required for students transferring into West Virginia from out of state. Students transferring from another county will still have to be assessed for TB risk by the local health department.

**Exception 1:** A student who is enrolling from an out of state school and has received one dose of each required vaccine may be provisionally enrolled pending completion of an immunization schedule that meets state requirements. This schedule must not exceed 90 days. Any student failing to complete the required immunization within this time (90 days) will be excluded from school pending fulfillment of requirements. The 90 day rule is for all immunizations except Hepatitis B. That series takes 6 months to complete. They must receive the first two in the 90 day time line.

**Exception 2:** A few other states and countries require only the year when documenting immunizations. When the complete date is not available, we will accept the date of the year without the day and month. This applies to out-of-state transfer students only.

**Exception 3:** Medical exemptions from required immunizations must state the specific vaccines exempted, the medical reason that the immunizations cannot be given, whether the exemption is temporary or permanent, and the date temporary exemptions must be reevaluated. All exemptions must be signed and dated by a physician or a representative of the Kanawha Charleston Health Department. All Medical exemptions must be approved by the West Virginia Health Commissioner.

### **IMMUNIZATION REQUIREMENTS FOR ALL STUDENTS ENTERING 7<sup>TH</sup> AND 12<sup>TH</sup> GRADES**

Beginning with the [2012-2013](#) school year, The West Virginia Bureau for Public Health has issued an Interpretive Rule **64CSR95 §64-95-8** which requires all students entering the 7<sup>th</sup> and the 12<sup>th</sup> grades of West Virginia schools to show proof of the following additional immunizations. This rule applies to students currently in West Virginia schools and moving up to the 7<sup>th</sup> or 12<sup>th</sup> grades and to students who move to West Virginia and are entering the 7<sup>th</sup> or 12<sup>th</sup> grades.

**7<sup>th</sup> grade students** – Must show proof of one TDap Booster, received after the 11<sup>th</sup> birthday, and one dose of the Meningococcal vaccine.

**12<sup>th</sup> grade students** – Must show proof of one TDap Booster, received after the 11<sup>th</sup> birthday, and one dose of the Meningococcal vaccine received after the 16<sup>th</sup> birthday, or a Meningococcal vaccine booster after the 16<sup>th</sup> birthday if one dose was received prior to the age of 16.

Medical exemptions from these required immunizations must state the specific vaccines exempted, the medical reason that the immunizations cannot be given, whether the exemption is temporary or permanent, and the date temporary exemptions must be reevaluated. All exemptions must be signed and dated by a physician or a representative of the Kanawha Charleston Health Department. All Medical exemptions must be approved by the West Virginia Health Commissioner, as required by WV state law.

### **MINIMUM IMMUNIZATION REQUIREMENTS FOR ENTERING ALL PRE-KINDERGARTEN PROGRAMS**

All children entering Pre-Kindergarten programs should be age appropriately immunized. The following guidelines for parents and school personnel indicate the minimum number of doses for each vaccine needed for Pre-Kindergarten entry.

Hepatitis A – Two (2) doses required, the 1<sup>st</sup> dose after the 1<sup>st</sup> birthday; the 2<sup>nd</sup> dose at least 6 months after 1<sup>st</sup>.

Hepatitis B – Three (3) doses required, the final dose at age 24 weeks or older.

DTaP – Four (4) doses required, Booster dose must be after the 4<sup>th</sup> birthday

IPV – Three (3) doses required, one dose must be after the 4<sup>th</sup> birthday

MMR – One (1) dose required, after the 1<sup>st</sup> birthday

Varicella – One (1) dose required, after the 1<sup>st</sup> birthday

HIB – Four (4) doses (Three (3) doses if Pedvax or Comvax are used for full series)  
Not recommended for children age 5 and older.  
Less than 4 doses may be required if first dose given after 7 months of age.

PCV – Four (4) doses  
Not recommended for children age 5 and older.  
Less than 4 doses may be required if first dose given after 7 months of age.

Medical exemptions from these required immunizations must state the specific vaccines exempted, the medical reason that the immunizations cannot be given, whether the exemption is temporary or permanent, and the date temporary exemptions must be reevaluated. All exemptions must be signed and dated by a physician or a representative of the Kanawha Charleston Health Department. All Medical exemptions must be approved by West Virginia Health Commissioner, as required by WV state law.

**WEST VIRGINIA  
UNIVERSAL PRESCHOOL PROGRAM  
2016-2017**

Kanawha County Schools Preschool works collaboratively with Head Start, the Kanawha County Schools Special Needs Program, and West Virginia Birth to three to offer a preschool experience to eligible 3 and all 4 year old children.

Kanawha County Schools Head Start is a comprehensive federal program that has been collaborating with Kanawha County Schools since 1965. In 2003, Kanawha County Schools Head Start was required to work within collaborative partnerships with faith based programs and licensed child care centers as well as within Kanawha County Schools facilities. At that time, the West Virginia Legislature passed the law which placed West Virginia among the top five states in the nation in offering quality preschool services to all 4 year old children. Currently, the Kanawha County Schools Preschool program offers services to children and families in 60 classrooms within school-based sites, 8 in community-based sites and 21 classrooms within child care partnership locations. We currently have classroom space for 1500 of the 2200 estimated 4 year olds in Kanawha County.

The philosophy of Kanawha County Schools Preschool program is that children learn through well-planned, developmentally appropriate learning experiences. The areas of learning emphasize: social and emotional development, the arts, physical and health development, language and literacy, and mathematics and science. The West Virginia Early Learning Outcomes Framework provides the standards for preschool to meet these areas of development as mandated by the West Virginia Department of Education (WVDE) and Head Start Performance Standards.

Every class is connected to an on-line portfolio system known as preschool Steps (PSTEPS), which monitors individual child progress and reports for parents. The parent connection enables them to follow the child's progress and encourages communication between the parent and teaching staff. Every class is mandated to provide two face to face home visits and two conferences per child per year.

Parents of a child who is four on or before August 31<sup>st</sup>, is eligible to register for Kanawha County Schools Preschool program. Parents will need the child's West Virginia State birth certificate, up to date immunization records, a physical and dental examination for registration. You may call Carol Fleming, Director Preschool at [304-720-0420/304-348-1942](tel:3047200420) or email [cfleming@mail.kana.k12.wv.us](mailto:cfleming@mail.kana.k12.wv.us) for more information. For a complete listing of all sites, please refer to the Kanawha County Schools website under Preschool Application and Information or go directly to the Preschool Application login at <https://kcs.preschoolsteps.org/login.cfm>.

Parents, family members, child care providers and the Kanawha County School System are working together to offer a program that puts Kanawha County Schools and West Virginia at the forefront of programs for preschool children. This opportunity enables our children to build a strong foundation for a lifetime of learning.

**Locations:**

**School-Based Programs:** Alum Creek, Andrews Heights, Anne Bailey, Belle, Bridge, Bridgeview, Cedar Grove, Chesapeake, Clendenin, Cross Lanes, Dunbar Primary, Edgewood, Elk Center, Grandview, Holz, Kanawha City, Kenna, Lakewood, Malden, Marmet, Mary Ingles, Midland Trail, Montrose, Nitro, Piedmont, Pratt, Richmond, Ruffner, Ruthlawn, Sharon Dawes, Shoals, Sissonville, Weberwood, Weimer and Mary C. Snow West Side.

**Community-based Programs/Collaborative:** Bream, CCCLC Shoenbaum, Country Kids, Creative Learning, Discovery, Friendly Faces, Gateway Christian Education Center, Growing Place, Kiddie Kollege, Kanawha Valley Enrichment, Martin Luther King Center, Lighthouse Child Development Center, Morris Memorial, Oakhurst Childcare, Raglin Community Center, St. Andrews Presbyterian, St. Francis, Vista View and YMCA of Cross Lanes.

**Preschool services provided at all locations include:**

- **Early Childhood education program with certified early childhood teachers in every classroom**
- **Early Childhood Certified Assistant Teachers in all classrooms**
- **School Readiness Goals implemented**
- **Health screenings by registered nurses**
- **Monthly parent involvement celebrations and all staff trainings**
- **Opportunities for parents to be involved in program decision making / program governance**
- **Family Engagement**
- **Volunteer Recognition Program**
- **Social Services**
- **Mental Health support**
- **Free Nutritional services and training**
- **Parent and Staff wellness training**
- **Services to children with disabilities and special needs**
- **Family Literacy Opportunities**

- Fatherhood / Healthy Families Involvement Program
- Oral Health Education and Services
- Childhood Obesity Prevention Program
- Additional Services Provided
- Day Care before and after school option
- Extended Day Services (based on the length of school day)

**Kanawha County Schools  
Community Education Program**

The Kanawha County Schools Community Education Program (KCSCEP) sponsors 1 day care center, 1 aftercare center, 4 On Deck (K-5 before school care) programs and 21 Third Base (K-5 after school care) programs throughout the county. All services are provided at an affordable weekly rate and vary by program. The program accepts families who have assistance through CONNECT Child Care Resource & Referral. Summer Camps for childcare are available during summer break. All programs are licensed through WV DHHR. Employees are fingerprinted and have their backgrounds checked. Employees are trained in first aid and CPR.

For more information about On Deck or Third Base, visit the web site at [kcscep.kana.k12.wv.us](http://kcscep.kana.k12.wv.us), or call for the Program Coordinator at William J. Raglin Community Education Center at (304) 766-0378, or email [KCSCEP@mail.kana.k12.wv.us](mailto:KCSCEP@mail.kana.k12.wv.us). For information about daycare, call the director of the center.

**Daycare Center**

Elk Elementary Center Daycare (304-348-7776)

**Aftercare Center**

Raglin Community Center Aftercare (serves Raglin Center and Dunbar Primary Preschool students only)

**On Deck Programs**

Alban On Deck  
Flinn On Deck

Elk Center On Deck  
Pt. Harmony On Deck

**Third Base Programs**

Alban Third Base  
Central Third Base (also serves Ann Bailey and Weimer)  
Cross Lanes Third Base  
Flinn Third Base (also serves Sissonville Elem. and Sissonville Middle's 5th)  
Lakewood Third Base (also serves Andrews Heights)

Bridgeview Third Base (also serves Dunbar Primary and Dunbar Intermediate)

Clendenin Third Base  
Elk Center Third Base  
Holz Third Base  
Montrose Third Base

Nitro Third Base  
Piedmont Third Base  
Pt. Harmony Third Base  
Richmond Third Base  
Ruthlawn Third Base (also serves Alum Creek and Kenna)  
Shoals Third Base

Overbrook Third Base  
Pinch Third Base (also serves Bridge)  
Pratt Third Base  
Ruffner Third Base  
Weberwood Third Base

## Elementary Curriculum Information

The elementary curriculum provides students with a strong foundation in the fundamentals of reading, writing, mathematics, and 21st Century learning skills. Students also receive instruction in the areas of science, social studies, art, music, physical education, and health. As early as kindergarten, students are involved in career awareness activities. Technology is integrated into instruction and the work students do throughout the day. Elementary students are also engaged in character education and multicultural activities throughout the school year. Parents can find the standards that describe what students should know and be able to do on the West Virginia Department of Education's website at: <http://wvnextgen.org/>. Parents can also find resources for ways to help their children at home at: <http://wvde.state.wv.us/parents21/learningtools.html>.

Elementary schools use Everyday Math as the math textbook and Houghton Mifflin Journeys as the reading textbook. Student progress is monitored throughout the year by using assessments such as DIBELS and benchmark tests. Small-group intervention and enrichment is provided to students based on these results. Accelerated Reader is used in many schools as motivation to encourage reading at home.

Several Kanawha County schools also receive services from Title I funds. Title I programs are designed to improve teaching and learning for low achieving students in high poverty schools so they can meet challenging academic content and performance standards. Funds are allocated based on the percentage of students at poverty level.

Staff development workshops and conferences are held throughout the year to train teachers in effective, research-based teaching methods and strategies. Many teachers are also involved in writing grants that help bring new programs to their schools.

Parents having any questions about the elementary curriculum should contact Jane Roberts, Assistant Superintendent for Elementary Schools, Bob Calhoun, Executive Director of Elementary Education, or Missy Ruddle, Assistant Superintendent for Curriculum and Instruction

**KANAWHA COUNTY BOARD OF EDUCATION POLICY Promotion and Classification of Students K-5  
Series: 111 Reference: 126 CSR 42 Issued: 03.16.1978 Revised: 10.15.1998; 05.16.2002;  
05.02.2011 Revision Number: 6**

**11.01 General.** Kanawha County Schools is committed to the total development of students. Therefore, when students are considered for promotion, double promotion, and retention the following factors must be thoroughly evaluated:

**11.01.1** Mastery of required competencies as contained in the West Virginia content standards and objectives.

**11.01.2** Social and emotional maturity.

**11.01.3** Physical maturity.

**11.02 Promotion.** The promotion of a student from one grade level to the next shall be based primarily on mastery of required competencies as contained in the West Virginia content standards and objectives.

**11.03 Double Promotion.** Double promotion is the advancement of two (2) grade levels in one academic year. Double promotion is generally not advisable and should only be considered after all other enrichment opportunities have been explored and utilized. Only one double promotion will be permissible at the elementary level. The principal and the Student Assistance Team must review all double promotions. The following documentation is required when double promotion occurs:

**11.03.1** Evidence that the student has mastered the required and essential competencies at the grade levels to be missed.

**11.03.2** Social and emotional maturity is such that the student can adjust to the age group to be joined.

**11.03.3** Physical maturity is such that no significant discrepancies exist between the student and the age group to be joined.

**11.04 Retention.** Retention of students is an option for students who, after intensive interventions, are performing below grade level standards. Interventions must occur before the retention decision is made. Research does not support retention of students (at any grade level) as an appropriate intervention. Accordingly, retention should be considered only after the Student Assistance Team has met and the Kanawha County Schools' "Considerations for Retention/Promotion" document has been consulted. The major factor to be considered in retention decisions is the failure to master required competencies that are contained in the West Virginia content standards and objectives for Reading and Mathematics. Students should not be retained more than one (1) time in grades K-5. No student shall spend more than seven years at the elementary level, unless approved by the Superintendent of Schools. The following documentation is required when retention occurs:

**11.04.1** Evidence that the student has failed to master the required content standards in Reading and/or Mathematics.

**11.04.2** Evidence that the student has received interventions appropriate in method, frequency and duration.

**11.04.3** Evidence that the SAT has completed the KCS Considerations for Retention/Promotion document.

**11.04.4** Evidence that parents have been notified of the possibility of retention prior to the last four weeks of the school year and that a Student Assistance Team meeting was scheduled to discuss the probability and to provide guidance on how to deal with the retention, should it occur. If a parent does not attend the SAT meeting, parents shall be provided with notice by telephone or mail.

**11.05 Report Cards.** Report cards are to reflect the student's inclination for promotion, double promotion, or retention.

**11.06 Final Decision.** School professional personnel shall make decisions regarding promotion, double promotion, and retention. In the case of differing opinions, the school principal, after consulting with the Student Assistance Team, shall render a final decision.

**11.07 Change of Student Grade Level Placement.** In the event a student has been identified, because of age or other factors, for possible change of grade level placement, the Principal shall convene a meeting of the SAT and, if applicable, the Principal and relevant school personnel from the receiving school. The parents of the student shall be invited to attend the meeting. At



such meeting all options will be discussed and a consensus decision shall be sought. If, however, a consensus decision is not reached as a result of such meeting, a final decision on grade level placement shall be made by the Assistant Superintendent for Elementary Education after consultation with the Principal or Principals involved and the parents.

## **Middle Level Education**

Kanawha County Schools has 13 middle schools that serve students in grades 5-8 and/or 6-8. Students benefit from a developmentally appropriate and challenging curriculum that reflects 21<sup>st</sup> Century learning skills. The core areas of reading, math, science, and social studies are often integrated to help make connections to student learning.

Students also have opportunities to explore foreign language, art, music, technology, health and fitness, careers, and other related areas.

Kanawha County Schools' middle level education integrates "Turning Points" Preparing American Youth for the 21<sup>st</sup> Century as recommendations for transforming middle grades. This We Believe (National Middle School Association). Breaking Ranks (National Association of Secondary School Principals) and Framework for High Performing 21<sup>st</sup> Century Middle Level Schools (West Virginia Department of Education) characterizes the culture of successful schools for young adolescents with the following components supported by Kanawha County Schools:

- ✦ Educators who value working with this age group and are prepared to do so. Effective middle level educators understand the developmental uniqueness of the age group, the curriculum they teach, and effective learning and assessment strategies. They need specific teacher preparation before entering the classroom and continuous professional development as they pursue their careers.
- ✦ Courageous, collaborative leadership. Middle level leaders understand adolescents, the society, and the theory and practice of middle level education. As the prime determiner of the school culture, the principal influences student achievement and teacher effectiveness by advocating, nurturing, and sustaining an effective instructional program.
- ✦ An inviting, supportive, and safe environment. A successful school is an inviting, supportive, and safe place, a joyful community that promotes in-depth learning and enhances students' physical and emotional well being. In such a school, human relationships are paramount.
- ✦ High expectations for every member of the learning community. Educators and students hold themselves and each other to high expectations. Such confidence promotes positive attitudes and behaviors and motivates students to tackle challenging learning activities. Successful schools recognize that young adolescents are capable of far more than adults often assume.
- ✦ Students and teachers engaged in active learning. The most successful learning strategies are ones that involve each student personally. When students routinely assume the role of teacher, and teachers demonstrate that they are still learners, a genuine learning community is present.
- ✦ An adult advocate for every student. Academic success and personal growth increase markedly when young adolescents' effective needs are met. All adults in successful middle level schools are advocates, advisors, and mentors.

## High School Curriculum

The high school curriculum for Kanawha County Schools is a 9-12 program designed to serve students preparing for a four-year college program, a two-year college program, post-secondary technical training or those preparing for the military or other entry-level employment immediately after high school.

### Career Clusters

The curriculum is organized around 16 career clusters. Clusters are broad groups of related occupations representative of the type of occupations available in the world of work. Within each cluster there are career concentrations. Concentrations are groupings of occupations with significant commonalities within a career cluster.

With the assistance of their parents and academic advisors, students in grade 8 will develop Phase 1 of their Personalized Education Plan a schedule for grades 9 and 10. This includes selection of a cluster and pathway. In grade 10, they will develop Phase 2, selection of a career concentration, along with a schedule for grades 11 and 12 and goals for the first year after high school. Each year students will review their plans with their counselors and/or advisors and adjust the plans to accommodate the student's goals and needs.

All students will receive specific information regarding career clusters prior to developing the Personalized Education Plan.

We recognize the importance of co-curricular activities in developing an all-around person. In addition to their academic clusters, all students are encouraged to participate in those classes such as band, choir or yearbook that develop the student's talents and interests.

Specific course information can be found in the 2015-2016 Course Description Handbook, which students received when scheduling.

### PROMISE SCHOLARSHIP INFORMATION

What is PROMISE?

The West Virginia PROMISE (Providing Real Opportunities for Maximizing In-state Student Excellence) Scholarship Program, approved by the Legislature in 1999, offers each West Virginia high school graduate who meets PROMISE standards and requirements a partial tuition scholarship to a state college or university or an equivalent dollar scholarship to an in-state private college.

The PROMISE Scholarship is based on the student's achievements not on his or her parent's financial resources, not on the college's resources, not on other factors. We are tying this opportunity, this investment, directly to the achievement on the part of the individual. For eligibility requirements and other information on the PROMISE Scholarship, contact your school counselor or visit their website at [www.promisescholarship.org](http://www.promisescholarship.org)

### INTERPRETATION OF GRADES

Grade	Grade Average Percent
A mastery of subject	93-100
B above average work	85-92
C average achievement	75-84
D below average work	65-74
F poor work, non-mastery	below 65
I incomplete - makeup needed	no credit
W withdrawal from class	no credit

### PROGRESS REPORTS

Progress reports will be issued to students at the mid-point of each grading period. The report indicates who is not making satisfactory progress and/or is in danger of failing a course. Upon receiving this written notification, parents are encouraged

to call teachers for a conference.

### **ACT COMPASS**

ACT COMPASS is an untimed computer-adaptive test developed by ACT to measure academic readiness for college credit-bearing mathematics and English courses.

Students in grade 11, except those participating in the APTA, will take the COMPASS mathematics and COMPASS writing test during the fall testing window. If a student does not meet the COMPASS benchmark or an equivalent ACT score, he or she is required to retake the COMPASS in the senior year.

### **SMARTER BALANCED ASSESSMENT**

Students in grades 3-11 are required to take the Smarter Balanced assessments. Smarter Balanced is guided by the belief that a balanced, high-quality assessment system can improve teaching and learning by providing tools and information for teachers and schools to help students succeed.

### **College Entrance Exams**

The college entrance tests are given by two testing agencies: the College Board which administers the PSAT/NMSQT, SAT and Achievement Tests, and the American College Testing Program which administers the ACT and PLAN. For detailed information on the nature of these tests and the preferred testing dates, contact your child's guidance counselor.

### **ATHLETICS**

Kanawha County Schools follows all rules, regulations, and policies set forth by the West Virginia State Board of Education and the West Virginia Secondary Schools Activities Commission. Any specific questions regarding participation, eligibility, transfers, etc., should be directed to the administrator of the school.

### **NCAA COLLEGE FRESHMAN ATHLETIC ELIGIBILITY REQUIREMENTS**

If you intend to participate in Division I or II athletics as a freshman, you must register and be certified by the NCAA Initial Eligibility Clearinghouse. You may access the NCAA website at [www.ncas.org/eligibility/cbsa/clearinghouse](http://www.ncas.org/eligibility/cbsa/clearinghouse) to determine the initial eligibility standards that apply to you. Students should check with their counselor for specific registration information and materials.

### **BEN FRANKLIN AND CARVER CAREER AND TECHNICAL EDUCATION CENTERS**

Ben Franklin Career and Technical Education Center and Carver Career and Technical Education Center are available to Kanawha County students. Courses taken at the centers are treated as electives. Ben Franklin is located in Dunbar and Carver is located in Malden. The two centers serve all county high schools. Their purpose is to develop good work habits and teach entry-level skills needed in today's work world. Students attend Franklin and Carver for one half of the school day. They may earn four units of elective credit per year that may count toward high school graduation. Students interested in attending either center should contact a counselor.

### **HONORS AND ADVANCED EDUCATION**

Honors/Advanced Education experiences are designed to meet the needs of students who have the potential to complete curriculum more demanding than that offered in the regular classroom and their current grade level. These classes are advanced in terms of content and performance expectations and provide credit toward graduation or possible college credit. Honors experiences may include, but shall not be limited to, specifically identified honors courses, research and in-depth studies, mentorships, content-focused seminars and extended learning outcomes instruction in the content areas. Advanced education includes classes recognized or offered by the College Board, post secondary institutions and other recognized foundations, corporations or institutions, accelerated instructional courses offered via satellite and other courses and arrangements, approved by the local board of education and state board. Advanced Placement Courses (AP) must follow the course descriptions

provided by The College Board and students are required to take the AP test. It is strongly recommended that the instructors of these courses receive the training provided by the West Virginia Advanced Placement Center. Those students who do not take the AP examination will not receive AP credit.

Curriculum approved under this section shall be designed to advance the achievement of students in the subject area or areas in which the student has achieved at least two of the following criteria: (a) demonstrated exceptional ability and interest through past performance; (b) obtained the prerequisite knowledge and skills to perform honors or advanced work; and, (c) received recommendations from the student's former or present teachers.

All courses designed as Honors and Advanced Education will receive a weighted grade. Those classes are indicated by an asterisk in this book. Honors course criteria and standards have been developed. For more information, contact your school counselor,

### **Procedure for Special Courses**

Upon recommendation of the principal, individual schools may petition the Division of Curriculum and Instruction for approval of special courses taught at that school and post-secondary courses identified by that school. Such petitions must be reviewed by Division of Curriculum and Instruction staff and approved prior to inclusion. Each petition will be considered on an individual basis.

### **Class Ranking**

Computation for class ranking shall be made at the end of the first semester of the senior year. The following scale shall be used to determine class ranking:

<u>Non-Weighted Courses</u>	<u>Weighted Courses</u>
A = 4	A=5
B = 3	B=4
C = 2	C=3
D = 1	D=2
F = 0	F=0

### **Commencement Recognition**

Honor graduates may be given preference by leading the processional and in seating arrangements at commencement exercises. Students will be recognized with honors, high honors, and highest honors:

- 3.8 GPA Honors
- 4.0 GPA with a minimum of 14 weighted credits by the end of 7 semesters or 1st term of the senior year in block schools - High Honors
- 4.5 GPA with a minimum of 14 weighted credits by the end of 7 semesters or 1st term of the senior year in block schools - Highest Honors

### **Credit for Courses below Grade 9**

Students who take high school courses before grade 9 (i.e., Foreign Language I or II, Algebra, etc.) will receive high school credit. These courses will be used in calculating the student's GPA and will be used to determine class rank.

#### **Transfer Students**

Students transferring from one school to another within the county shall have their credits accepted at face value and shall be considered for honors.

Students transferring to Kanawha County Schools from a school outside the county must have spent the whole of their senior

year in Kanawha County Schools before they can be considered honor graduates; however, they may be given recognition.

### **Dual Credit Options**

Students may take college level courses that carry credit toward high school graduation as well as credit toward a college transcript. At the present time, juniors and seniors who meet admissions and pre-requisite requirements from the participating college may be eligible to participate. Courses vary among high schools from semester to semester with a minimum of 15 students needed to be enrolled. Depending on specific course content, a few classes may replace required courses; most classes will count as electives. Each high school will determine its own policy regarding curricular alignment and sequencing in regard to college level courses.

Area colleges are part of the Dual Credit Consortium; all dual credit courses are college level classes and therefore carry a weighted grade on the high school transcript. Students expecting to attend other colleges should see their counselor and contact their prospective college prior to enrollment to ensure credit will be accepted. In some cases, credit may be granted for electives rather than replacement of specific course requirements.

Classes are normally offered during the school day and generally follow the KCS calendar with minor adjustments. Teachers will be either public school instructor qualified as college adjunct staff or college professors.

The fee for a 3-hour credit course is set by the West Virginia State College System (with additional hours being charged on a pro-rata basis). Deposits may be required to determine offerings; full payment is expected during the first week of class. Students will purchase their own books, which will be made available on the high school campus; price of textbooks varies according to the course. Students who plan to enroll in dual credit courses should take the ACT during the spring of their junior year and may be required to take a placement assessment before being allowed to enroll.

### **Promotion, Retention, and Classification**

Promotion from grade 9 to 10 (sophomore) occurs when the student has earned five (5) credits and passed six (6) of eight (8) semesters in English, Social Studies, Mathematics, and Science. Promotion from grade 10 (sophomore) to 11 (junior) occurs when the student has earned 11 credits. Promotion from grade 11 (junior) to 12 (senior) occurs when the student has earned 17 credits.

### **Career Academies/Magnet Schools**

Kanawha County Schools is in the process of developing career academies and ninth grade academies in the high schools. Career academies are designed to develop peer support and improve achievement through highly focused small learning communities built around a broad based career theme. The academies are organized to allow a small group of students to stay with a core group of teachers from grades 9-12. This personalized learning environment helps students build strong relationships with peers and teachers. Academic courses are integrated with technical and applied courses around the career theme. Connections are also made with local businesses to provide students with a range of career and work based learning experiences.

Along with the development of career academies, KCS will continue to offer magnet programs at Capital (Performing Arts and Human Performance Management), Nitro (BioScience), Sissonville (International Studies) and South Charleston (International Baccalaureate). Currently, South Charleston has a Pre-Engineering Academy, St. Albans has a Hospitality Academy, and Herbert Hoover has an Academy of Criminology.

For more information, please contact Mr. Mark Milam, Assistant Superintendent for High Schools/Technical and Adult Education at 347-7485 or [memilam@mail.kana.k12.wv](mailto:memilam@mail.kana.k12.wv).

Students in Kanawha County Schools will be able to choose the high school they wish to attend based upon the academics offered at that school. The schools may be a Magnet, Magnet/Career Academy or a Career Academy.

What is the difference between a Magnet school and a Career Academy? The Magnet school is one that specializes in particular subjects, in addition to providing a general education while a Career Academy is a small learning community built around a career theme. All schools will continue to offer the high academic standards that Kanawha County Schools has been known.

CHS is a performing and visual arts center. The band gives students dynamic people, a team-oriented environment, travel, competition, and an opportunity to achieve. The VIP's was created to help in the development of teenagers using choral music, dance and theatre as a vehicle. The dance program offers something for everyone from beginner to advance to even the most dancing challenged. The mission of the theatre dept. is to provide an intimate theatre experience. The Visual Arts Dept. students will learn the fundamentals of painting, drawing, sculpting and pottery, photography, printmaking and fiber arts. Human Performance Management will engage students in learning experiences that encourage healthy living through the study of medical sciences.

### **NITRO HIGH BIOSCIENCE PROGRAM**

The purpose of the bioscience program is to open a portal of awareness of the wonders and possibilities of the highly competitive and marketable field of bioscience. This program is well suited for the student interested in emphasizing high school study to prepare for fields classified as biomedical (college-bound track; specializing in medicine; research and development, etc.) or biotech (also programs not necessarily requiring a four-year degree, such as radiology, respiratory therapy, lab tech). The first three years of the program involve becoming proficient in laboratory practices, discussing the ethical issues present in Genetic Engineering, isolating and analyzing DNA, and exploring agricultural and pharmaceutical Biotechnologies. The program will culminate the senior year with an internship/job shadow in a medical or academic laboratory facility; or in a government or corporate/industry laboratory. The fourth year also includes biotechnology mentor-guided independent lab research.

### **SISSONVILLE INTERNATIONAL STUDIES**

The International Studies Program is designed to infuse comprehensive global education program into the existing curriculum as an integral part of every student's education. It is necessary to enable students to meet the challenges of a global society.

### **SOUTH CHARLESTON MAGNET/CAREER ACADEMY**

The International Baccalaureate (IB) Program is a globally-recognized, comprehensive program for high-achieving juniors and seniors that require students to complete an in-depth study in six core subjects and an IB elective. SCHS is currently the only WV school offering IB.

The Teacher Cadet Academy is for those students who believe that one day they will be an educator. The student will experience the profession by understanding educational history, trends, and process. College credit may be earned through WVSU.

Pre-Engineering Academy links coursework to real life by offering hands-on experience in applying math and science concepts to solving real problems.

### **ST. ALBANS ACADEMY OF HOSPITALITY**

The Academy of Hospitality is designed to give students a close look into the culinary business. It incorporates a school-to-work program which allows students to work at several fine culinary establishments. The program is a partnership between students, teachers, school and the local restaurateurs.

### **HERBERT HOOVER ACADEMY OF CRIMINOLOGY**

Criminology is the scientific study of crime, criminal behavior and law enforcement. The academy of Criminology emphasizes strong academic courses in civics, law, and forensics. Offering both skilled and professional pathways, this high school choice program is beneficial for those students interested in entering career fields such as law enforcement, legal professions, and forensic investigation.

### **High School of Choice**

SCHOOL	MAGNET	CAREER ACADEMY
Capital	Performing Arts & Human Performance Management	
Herbert Hoover		Criminology
Sissonville	International Studies	
So. Charleston	International Baccalaureate Diploma (IB)	Pre-Engineering; Teacher Cadet
St. Albans		Hospitality
Nitro	BioScience	

### APPLICATION PROCESS

The application may be found on the Kanawha County Schools web page [kcs.kana.k12.wv.us](http://kcs.kana.k12.wv.us). Once you have access to the KCS web page, you will look down the left margin until you locate Programs. Click on the High School Choice Program link. This link will take you to the application link which will be found on the right side of the page. Application Deadline is July 20<sup>th</sup> at 4:30 p.m. If you have any questions regarding the process or need more information please contact Mr. Mark Milam at [memilam@mail.kana.k12.wv.us](mailto:memilam@mail.kana.k12.wv.us) or call 347-7483 during normal business hours. Students will be notified by mail after August 1 regarding the status of their acceptance.

### Credit Recovery

Kanawha County Schools now offers a different model for high school students who need to make up credits for courses failed. The program is called credit recovery, and it replaces the traditional summer school program from the past.

Credit recovery allows students the opportunity to complete portions of courses that were not mastered instead of repeating an entire course. This is done through the use of a web-based curriculum called On Target. The WVDE provides this program to Kanawha County Schools. Students will have the opportunity to complete the coursework outside of the traditional classroom setting.

Each summer, three schools in the county will be designated as credit recovery sites. Students from the high school will be eligible to participate. Each site will be staffed with two credit recovery facilitators who will work with the students enrolled to assist with the completion of coursework.

The credit recovery program will continue throughout the school year. Schools will have the ability to schedule a variety of credit recovery options within the school year, including before, during, and after normal school hours. The flexibility of On Target and credit recovery will provide additional opportunities for students to make up credits and assist them with completing graduation requirements. If your child is planning on playing a sport in college, NCAA will not accept the On Target credit. For more information about credit recovery, please contact your child's counselor.

### ***A Parent's Guide to Support for Personalized Learning (SPL)***

#### What is SPL?

West Virginia Support for Personalized Learning (SPL) is the framework that uses a configuration of multiple supports for all students and includes the elements referred to as Response to Intervention (RTI). SPL is a multi-level process that emphasizes how students respond to instruction and provides support for students performing below State-approved grade-level standards as well as those students exceeding grade-level standards. In the early grades, teachers intervene early to prevent students from falling behind. For older students, SPL provides differentiated and scaffold instruction to help all students with the demands of multiple learning environments. The SPL process includes problem-solving teams at the school level who examine student performance data and make recommendations for improving student achievement.

#### What does SPL look like in West Virginia schools?

In West Virginia, student's learning is supported through a<sub>21</sub> process that personalizes their instructional needs. These

instructional needs are identified, monitored and evaluated through a variety of assessment processes including screening/interim, formative/classroom, and progress monitoring, diagnostic and summative assessments. For some students, CORE instruction alone may not be sufficient. For these students, a multi-levelled system including, TARGETED and INTENSIVE support, progressively increases the type and amount of instruction provided.

What are the key components of the SPL process?

The SPL framework includes the delivery of high-quality research-based instruction configured to meet the full range of student needs. SPL provides a seamless system of resources and instruction which allows students to make significant progress whether they are at-risk for failure, currently exceeding State-approved grade-level standards, or at any point along the continuum.

### INSTRUCTION

- **CORE INSTRUCTION** is for ALL students and includes high quality curriculum and instruction in the general classroom. CORE is provided by teachers and support staff.
- **TARGETED INSTRUCTION** and customized scaffolding are triggered when a student's progress in the general education environment, despite strong commitment and high level instruction at the CORE level, does not meet State-approved grade-level standards or exceeds State-approved grade-level standards. It differs from quality CORE instruction because of increased intensity in scaffolding, time, assessment and expertise. TARGETED may be provided by general educators, specialists and special educators.
- **INTENSIVE INSTRUCTION** is triggered when a student's progress in the general education environment, despite rich and meaningful instruction at the CORE and TARGETED levels, continues to fall below State-approved grade-level standards. INTENSIVE support is distinguished from TARGETED support by further intensification of scaffolding, time, expertise and assessment. INTENSIVE may be provided by general educators, specialists, or special educators.

### ASSESSMENT

- **UNIVERSAL SCREENING** means that all students are checked to determine which ones are above, at or below grade-level standards in English/language arts, mathematics and behavior.
- **PROGRESS MONITORING** occurs during TARGETED and INTENSIVE instruction to assess more specific instructional skills. Progress monitoring occurs more frequently to see how students are responding to instruction so that important decisions can be made by teachers, other school staff and parents.

What is the relationship between SPL and special education?

As a result of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004), a process based on a student's response to scientific, research-based intervention is used in West Virginia as one piece of specific information when determining whether a student has a learning disability. For some students, the three levels of support provided within general education are not enough and special education services may be needed.

When students participate in the SPL process, parents are to be notified about the following:

- The amount and nature of student performance data that would be collected and the general education services provided (i.e., multi-level instruction framework and progress monitoring data);
- Strategies for increasing the student's rate of learning (i.e., research-based instruction) or for filling the gaps; and,
- The parent's right to request an evaluation at any time. If a referral is made, procedures for evaluating and determining eligibility are followed as with any referral to special education.



### How Are Parents Involved in the SPL Process?

Parents are important members of any child's educational team. Being informed about your school's SPL processes and procedures is the first step to becoming an informed, active parent participant in your child's education. Consider asking the following questions:

- What does the SPL framework look like in our school? Who is providing instructional supports? When are they provided? How do you know my child needs additional instructional support?
- Who are the members of our school's problem-solving teams?
- Is there information available about SPL such as an SPL Guidance Document? How is my child's progress being monitored? How often will my child be screened or monitored for progress?
- What communication regarding my child's progress can I expect? Who will provide the information?
- How will I know if my child needs TARGETED or INTENSIVE instruction?
- At what point in the SPL process will parents be informed of their rights under the IDEA 2004, including the right to request an evaluation for special education eligibility?

In addition to asking questions and receiving information from your child's school, the West Virginia Department of Education has a number of resources available at

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

<http://wvde.state.wv.us/parents21/>

## Special Education

Kanawha County Schools Special Education Department is located at:

Kanawha County Board of Education  
Room 327  
200 Elizabeth Street  
Charleston WV 25311

Kanawha County Schools provides programs for identified students with disabilities between the ages of 3-21 inclusive, regardless of the severity of their disability, gifted students from first through eighth grade and exceptional gifted students in grades nine through twelve.

KCS procedures are consistent with federal and state law including formal procedures for searching and screening students who are eligible for exceptional education services. These procedures include due process guidelines that are followed in all cases where the parents/adult students do not agree with their child's program or placement. The **Procedurals Safeguards** are available on the KCS website under the Parent/Community section.

Each identified student has an IEP meeting at least one time a school year to determine the appropriate services. A re-evaluation is conducted every three years to determine continued eligibility for special education services. KCS employs special education process specialists, school psychologists, Speech Language Pathologists, Occupational Therapists, Physical Therapists, and Itinerant support personnel certified in Autism, TBI, HI, VI, and Preschool to meet the needs of the students. Transition services are also offered to prepare students for the world of work after graduation.

The Kanawha County Board of Education has adopted Regulations for the Education of Students with Exceptionalities, WV Policy 2419 effective September, 2014 for the implementation of state and federal regulations for students with disabilities.

Please contact the following offices for additional questions or information:

Preschool Special Needs, Developmental Delays (ages 3-5) [304-348-1353](tel:304-348-1353)

Preschool Communication Disorders (ages 3-5) [304-720-5810](tel:304-720-5810) or [304-766-0355](tel:304-766-0355)

All others please call Special Education Office [304-348-7740](tel:304-348-7740). Fax number: [304-348-6671](tel:304-348-6671)

### **Alternative Education**

Kanawha County Schools offers a variety of alternative education programs for the non-disruptive and disruptive secondary students.

#### **Alternative programs for non-disruptive students:**

West Virginia State University Collaborative School. - This program was formed through a partnership between Kanawha County Schools and West Virginia State University. 10th grade students with average or above average ability currently enrolled in Kanawha County Schools will be eligible for the program. Classes are taught by Kanawha County School teachers and West Virginia State University professors.

Chandler Academy is the alternative program for middle and high school students. In order to be placed in this program a student must either have (1) committed a safe schools violation as defined in the WV Code of Conduct (2) continually broken school rules even after documented interventions by the school, or (3) been expelled from Kanawha County Schools. Students are placed in the alternative program by the County Student Assistance Team or an IEP meeting and can return to their home school after meeting criteria set by the Team or completion of the term of expulsion. A counselor, social worker, and a school psychologist provide services for these programs.

Kanawha County Youth Reporting Center (Day Report) is serviced by Kanawha County Schools and the West Virginia Division of Juvenile Services. Expectant Mother's Voluntary Program for pregnant girls is a program developed to support them academically and educating them on potential health needs.

#### **School Aged Expectant Mothers Program**

School-aged Expectant Mothers Program is available to students referred by a physician due to medical concerns related to pregnancy. The girls attend the program housed at Chandler Academy until their babies are born. After the birth, the girls are provided with educational services at home for six weeks. The girls then return to the Program to complete the current semester before returning to their home schools.

#### **Homebound/OSE Education**

Kanawha County Schools offers educational services to students unable to attend school due to medical reasons or safe schools violations. A variety of homebound/OSE options are offered to students who qualify. The goal of homebound/OSE education is to provide students educational services enabling them to be academically successful upon their return to school.

All secondary students and elementary students will be assigned teachers. When teachers are not available, schools are responsible for providing assignments. Teachers meet with the student's classroom teacher to coordinate instruction that will be provided to the student. The homebound/OSE teacher meets with each

student approximately four hours a week in a setting outside of the home unless the child requires services in the home due to medical reasons. Grades are given to the school at the end of each grading period. Kanawha County employs eight full time homebound teachers and contracts with additional Kanawha County teachers throughout the school year.

### **Medical Homebound Instruction**

The purpose of medical homebound instruction is to provide instruction that assists students in keeping up with their schoolwork when a medical illness or injury, as verified by a licensed physician, makes it impossible for them to attend school for three consecutive weeks or more. Certified Kanawha School teachers, in collaboration with classroom teachers, provide the instruction in the home setting.

Medical homebound instruction is provided only when accommodations cannot be made by providing a reduced-day schedule and/or modifications at the school level to allow the student to remain in school.

Medical homebound instruction is intended to be temporary and is not a substitute for a comprehensive education.

The goal is always to return the student to the classroom as quickly as possible.

Students receiving medical homebound instruction are not permitted to participate in any extracurricular activities or be employed either part-time or full time, unless a written order from the physician explains that this is an important part of a student's recovery and the student is physically able to participate.

Homebound instruction will not be provided for students to be caregivers or for child care purposes.

Each request for medical homebound instruction will be reviewed. Physicians/Medical care providers may be contacted for further information. In some instances, Kanawha County Schools may require a second opinion.

Students who are recommended for medical homebound instruction for mental health reasons must be receiving therapy and must submit a treatment plan which is completed and signed by the parent and a licensed psychiatrist or mental health provider.

**MEDICAL HOMEBOUND INSTRUCTION REQUEST**  
Kanawha County Schools

Student: \_\_\_\_\_ Birthdate \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

School: \_\_\_\_\_ Grade \_\_\_\_\_

Physician/Medical Care Provider \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

Reason for requesting homebound instruction (medical diagnosis): \_\_\_\_\_

Estimated length of time student will be unable to attend school: \_\_\_\_\_

Physician/Medical Care Provider's Signature:

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

Parent Signature:

I give permission for the Kanawha County school nurse to contact the physician, medical provider and/or mental health provider to discuss my child's medical/psychological condition and treatment plan.

I also give permission for the physician, medical provider and/or mental health provider to discuss my child's medical/psychological condition and treatment plan with the Kanawha County school nurse.

\_\_\_\_\_ Date \_\_\_\_\_

### **PARENT COMMUNITY RESOURCE CENTER (PCRC)**

The Parent Community Resource Center (PCRC) of Kanawha County Schools is staffed by a team of parents and educators. The purpose of the PCRC is to assist all parents and school staff of children pre-school through grade 12. The mission of the PCRC is "working together to build relationships between families, educators, and the community for greater student achievement". Our address is 157 2<sup>nd</sup> Avenue, South Charleston, WV

The PCRC provides information, assistance, trainings, and referrals to parents and educators which will empower parents and educators to make informed decisions regarding the education of children. The PCRC also provides general information to the community about Kanawha County Schools and connects families and educators with community resources and services. Individual assistance is<sup>27</sup>available to parents for SAT, IEP, 504, transitioning from WV

Birth to Three into the KCS school system, and any other type of meeting at a parent's request. Informed, effective parents and educators working together for students present a powerful, positive team.

The PERC has a library of materials which focus on child/family issues, general education and specific disability information. KCS educators may borrow videos/DVDs for up to ten days. Parent, family, and community members may view them in the PCRC office by appointment.

The PCRC offers trainings on such topics as *Understanding Special Education (U.S.E. course)*, which is a 3 ½ hour session that explains educational rights and responsibilities during each phase of the special education process and helps families learn how to work in partnership with school personnel. Other workshops include: Home Tips (Help, Organize, Manage, Enjoy homework time) , *Cybersafety: Texting/Sexting; Living With 10 to 15 Year Olds; Behavior Management Techniques; How to Help Your Child with Homework; and Parenting Children and Teens with ADHD*. The PCRC team is available to present these trainings in schools or other community locations. **Sessions are free and open to all.** Trainings are available during daytime and evening hours

For more information or if you would like a brochure contact the PCRC at 348-7715 or email [perc@mail.kana.k12.wv.us](mailto:perc@mail.kana.k12.wv.us) for assistance. Business Hours: Monday –Friday 8:00 am – 4:00pm. Also available after 4:00pm by appointment.

## **Right to Request Teacher and Paraprofessional Qualifications**

Dear Parent or Guardian:

Under the federal *Every Student Succeeds Act (ESSA) of 2015*, you have the right to request information regarding the professional qualifications of your child's classroom teacher(s), and qualifications of instructional aides or paraprofessionals.

You have the right to know:

- a. Whether or not the teacher has met West Virginia's licensure and certification requirements for the grade levels and subject areas in which instruction is required by the teacher;
- b. Whether the teacher is teaching under an emergency or other provisional status through which state licensing requirements have been waived;
- c. The college major and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and,
- d. Whether your child is provided services by aides/paraprofessionals, and if so, their qualifications.

Please contact your school principal or the Kanawha County Schools Office of Human Resources at the phone number below if you would like to request any information pertaining to any of the above.

Kanawha County Board of Education  
200 Elizabeth Street  
Charleston, West Virginia 25311  
Phone 304-348-7712

## **KANAWHA COUNTY TITLE I PARENT AND FAMILY INVOLVEMENT POLICY 2016-2017**

### **PART I: GENERAL EXPECTATIONS**

**Kanawha County Schools agrees to implement the following statutory requirements:**

The school district will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with the *Every Student Succeeds Act (ESSA) of 2015*. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.

Consistent with the ESSA, the school district will work with its schools to ensure that the required school-level parental and family involvement policies meet the requirements of the ESSA, and each include, as a component, a school-parent compact.

The school district will incorporate this district wide parental involvement policy into its LEA plan developed under the ESSA.

In carrying out the Title I, Part A parental and family involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under the ESSA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.

If the LEA plan for Title I, Part A, developed under the ESSA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the State Department of Education.

The school district will involve the parents of children served in Title I, Part A schools in decisions about how the 1 percent of Title I, Part A funds reserved for parental and family involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.

The school district will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

*Parental and family involvement means the participation of parents and families in regular, two way, and meaningful communication involving student academic learning and other school activities, including ensuring—*

- (A) that parents and families play an integral role in assisting their child's learning;*
- (B) that parents and families are encouraged to be actively involved in their child's education at school;*
- (C) that parents and families are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;*
- (D) the carrying out of other activities, such as those described in the ESSA.*

### **PART II: DESCRIPTION OF HOW DISTRICT WILL IMPLEMENT REQUIRED POLICY COMPONENTS**

- (1) Kanawha County Schools will take the following actions to involve parents in the joint development of its district wide involvement plan under the ESSA:**

Parent representatives of Title I schools will participate in development of the county parent involvement plan through completion of the annual parent focus survey, attendance at regularly scheduled and called meetings including the annual Superintendent's retreat, and through assessment of and contribution to parent activities which are to be provided by the county and the school.

**(2) Kanawha County Schools will take the following actions to involve parents in the process of school review and improvement under the ESSA:**

Each Local School Improvement Council will maintain parent representatives to address review and improvement needs. The LSIC will participate in ongoing school review and school improvement processes. Each school will also involve parents as part of its strategic plan committee.

**(3) Kanawha County Schools will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental and family involvement activities to improve student academic achievement and school performance:**

Kanawha County Schools Title I leadership, through a series of group and individual school meetings scheduled throughout the year, will counsel, support and provide technical assistance to school leadership to enable them to guide parents and staff in the development of school plans and parent involvement within the plans. Data (student assessments and the annual Title I parent focus survey) will be provided to schools by the office of Counseling and Testing and by the Title I Director to facilitate self study and goal-setting.

**(4) Kanawha County Schools will coordinate and integrate parental and family involvement strategies in Part A with parental and family involvement strategies under the following other programs: Head Start, Parent Community Resource Center, Title II and Title III.**

Kanawha County Title I will encourage collaboration with other titled programs and our Parent Community Resource Center (PCRC) through the distribution of parent literature, provision of county wide programs, and in the perpetuation of the Family Literacy philosophy in the conducting of school-based parent and family activity and training. Schools will be encouraged to consider such collaboration in their annual planning and program delivery. Kanawha County Title I will provide funding support to the PCRC to better enable them to be a joint partner in parent and family involvement at the district and school levels.

**(5) Kanawha County Schools will take the following actions to conduct, with the involvement of parents and families, an annual evaluation of the content and effectiveness of this parental and family involvement policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents and families in parental and family involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school district will use the findings of the evaluation about its parental and family involvement policy and activities to design strategies for more effective parental and family involvement, and to revise, if necessary (and with the involvement of parents) its parental and family involvement policy.**

Parents in all Title I schools will be invited to offer input to planning and review of activities for parents which are designed to meet the needs of a diverse population (ethnic, minority, low socioeconomic status, limited English proficiency, students with disabilities). All schools will implement an evaluation of parent and family involvement opportunities (annually) as a part of the project development through the Title I parent focus



survey, in order to assess the effect of the year's activities in aiding parents and families to help their children to improve achievement. Interviews will be conducted with parent representatives of the target group as parents of the parent focus survey. The results will be studied in terms of program and policy and parent/school compact revisions. Parents will be provided a summary of the school evaluation (academic assessment) results. The summary will include an explanation of proficiency levels students are expected to meet. Schools will also notify parents of their federal accountability status of Focus or Priority school designation and state accountability ranking (A – F) and explain to parents the meaning of their status as part of their annual Title I Parent Open House.

The annual District Title I parent interview and focus process will elicit parent representatives from each school to participate in the review of the Title I county program, the improvement process and development of the county plan. The focus process is conducted by Title I administration with the help of Title I teachers who interview a specified number of parents within each school. Through the design of the focus process, data is gathered by interview and is aggregated by the Title I administrative office. The resulting reports serve the planning needs of *both* the county administration and the individual schools. County and school parent policies must reflect annual review and necessary revisions through parent input.

Parents are included in the annual Superintendent's retreat along with business and community leaders, representatives from higher education, religious leaders, community professionals, students, teacher organizations, and district personnel to review and give input to district leaders on the five-year strategic plan, establish annual goals for the district, and provide feedback to district representatives on identified areas for improvement.

**PART III: ACTIONS: HOW THE EVALUATION WILL BE CONDUCTED; WHO WILL CONDUCT IT; PARENT ROLE:**

**A. The school district will, with the assistance of its Title I, Part A schools and the Parent Community Resource Center, provide assistance to parents of children served by the school district or school, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph:**

- 1 the State's academic content standards,**
- 2 the State's student academic achievement standards,**
- 3 the State and local academic assessments including alternate assessments,**
- 4 requirements of Title I, Part A,**
- 5 how to monitor their child's progress, and**
- 6 how to work with educators.**

Following the receipt of the State's report on the academic status of the school:

-Each school staff will conduct an annual fall meeting with parents to address parent policies, compacts, national and state standards, school assessments, and the accountability status of the school.

-Teachers within the Title I schools will discuss the requirements of Title I, Part A, describe the curriculum and assessments used in the school, and will review student progress in meeting federal and state standards during orientation sessions with parents.

-Each school will hold a variety of parent and family involvement activities in which parents may monitor/observe the progress of their children, make suggestions, share experiences and participate in the decisions with educators relating to parent and family involvement in the education of their children.

These meetings are intended to provide training to parents and families to strengthen their confidence in interaction with school personnel. As indicated in Title I schools strategic plan, these activities may be conferences, workshops, PTA/PTO sessions, LSIC meetings, classroom visitations, opportunities to volunteer and/or serve as parent assistants where sufficient funds are available, or other forms of parent interest and agreement.

- Parents will be provided formal notice (news media, direct mailings, KCS web site, the annual KCS Parent Handbook, school newsletters) of their right to access the qualifications/certifications of personnel (teachers and para-professionals) working in the Title schools. Notices will be provided to parents in the event a non-qualified teacher is the provider of instruction for a period of more than four consecutive weeks.

**B. The school district will, with the assistance of its schools, provide materials and training to help parents and families on how to work with their children to improve their children's academic achievement, such as literacy and mathematics training, and technology, as appropriate, to foster parental involvement, by:**

Encouraging parents and families to participate as fully active consumers and planners in all aspects of the Title I school and county program. Activities shall be visible in each school plan and in review of improvement activities.

Using Title I allocated funds as well as Title I set-aside funds to support parent and family involvement through joint efforts between the district, Title I schools, and the Parent Community Resource Center and through other district wide activities as funding permits.

Title I schools conducting school based staff and parent/family trainings and conferences which will provide parents and families with child development and instructional skills inclusive of technology as appropriate, to help them to be effective teachers at home.

Teachers having materials available for students and parents to use at home.

Encouraging parents and families to volunteer and to observe in classrooms through personal and general invitation, parent and family training activities connected with school visitations, and other onsite activities that provide the opportunity for classroom visits.

Title I school personnel making timely responses to parent suggestions through LSIC, conferences and appropriate school communications.

Supporting adult literacy through home experiences, workshops and/or referral to Kanawha County Adult Basic and Technical Education.

**C. The school district will, with the assistance of the schools and parents, educate teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:**

Capacity for strong parent, family and community involvement shall be embedded within the Title I program at the county and school levels through county focus interviews, LSIC, required local Title I funding of parent/family training and activities, provision of student reports to parents, school meetings for the review of state and federal standards and assessments with parents, provision of district sponsored parent

activities through the KCS Parent Community Resource Center, family learning times planned and conducted between school staff and parents/families, take home materials which reinforce the curricular effort and the parent/family support role, and regular staff development to which parents and families are invited. Parent participation as vital members of school support teams will create ombudsman between the school and community in the development of equal partnerships.

**D. The school district will, to the extent feasible and appropriate, coordinate and integrate parental and family involvement programs and activities with Head Start, Title II, Title III, the Parents as Teachers Program, WV Pre-K, the Parent Community Resource Center, and other programs and activities that encourage and support parents in more fully participating in the education of their children, by:**

Title I will encourage collaboration with other Titled Programs and programs such as Head Start, WV Pre-K and the Parent Community Resource Center. Title I will emphasize distribution of parent literature through collaboration with the KCS Parent Community Resource Center. Collaboration among staff in the perpetuation of parent/family involvement and engagement will provide opportunities for parent and family participation in school planning, while extending the opportunity for parents and families to address their own concerns in the interest of their children. Schools will be encouraged to consider these interests and concerns as a focus in planning.

**E. The school district will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:**

Through Title III surveys, parents needing translation of written documents will be identified and individually addressed.

Special assistance for non-English speaking parents will be arranged as necessary.

School and district staff will encourage support for parents through such partnerships such as with the Kanawha County Parent Community Resource Center.

Title I parent activities will be routinely coordinated with other programs at the school and county level.

Parent Policies and Parents Right to Know will appear and may be converted from English to other languages as needed.

The Title I Complaint Procedure will be made available to parents at the schools.

#### **PART IV: ADOPTION**

**This Districtwide Parental and Family Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs. Broad approval of the policy was sought through the focus (face to face) interview process through the Title I parent focus survey. Title I parent and staff representation at the Superintendent's Administrative Retreat has provided additional discourse furthering the collaboration of parents, families, the community and KCS staff in addressing mutual goals for the school system and its constituents.**

**About the Focus Interview:**

This KCS County Title I Parent focus interview/survey was conducted by Title I teachers with parent representatives in *each* school between September through November, 2015 and from parent input received at the March 2016 Superintendent's Administrative Retreat at Edison Staff Development Center. Data and parent opinion from the both the focus interview and the retreat were aggregated for county use in planning as well as school level planning. This policy will be in effect during the FY 2016-17 school year, and will be distributed on or before October 1, 2016 to all parents of participating Kanawha County Schools Title I, Part A children.

Pam Padon, Director of Federal Programs, Title I

**PARENTS' AND STUDENTS' RIGHTS UNDER  
THE MCKINNEY-VENTO ACT**

**Mobility and Education Facts**

- According to a 1994 U. S. General Accounting Office report analyzing national data on third graders, one-half million children attended more than three schools between first and third grade.
- According to the 2000 U. S. Census Report, 15 to 18 percent of school-age children changed residence from the previous year.
- Frequent school changes have been correlated with lower academic achievement, according to the U.S. General Accounting Office article *Elementary school children: Many change schools frequently, harming their education.*
- It may take four to six months to recover academically from a school transfer, according to *Homes for the Homeless.*
- Mobile students are half as likely to graduate from high school, according to the *PACE Policy Brief.*
- Students who move frequently have lower attendance rates; a 20 percent absentee rate results in achievement scores 20 points lower than those of stable peers, according to the *Kids Mobility Project Report.*
- According to *Education Week*, mobile students are twice as likely to repeat a grade.

**The federal McKinney-Vento Act and West Virginia state law and policy guarantee that you can enroll in school if you live:**

- In a shelter (family shelter, domestic violence shelter, youth shelter or transitional living program);
- In a motel, hotel or weekly rate housing;
- In a house or apartment with more than one family because of economic hardship or loss;
- In an abandoned building, a car, at a campground or on the street;
- In temporary foster care or awaiting foster care with an adult who is not your parent or legal guardian;
- In substandard housing (no electricity, no water, and/or no heat); or
- With friends or family because you are a runaway or unaccompanied youth.

**You may also:**

- Continue to attend the school in which you were last enrolled, even if you have moved away from that school's attendance zone or district (if feasible and in the best interest of the child);
- Receive transportation from the current residence back to the school of origin;

- Qualify automatically for Child Nutrition Programs (Free and Reduced-Price Lunch and other district food programs);
- Participate fully in all school activities and programs for which you are eligible; and,
- Contact the district liaison to resolve any disputes that arise during the enrollment process.

### **Enrollment Forms**

If you live in one of these situations, as for all students enrolling in West Virginia schools, you may enroll in school without the following documents in hand; however, your full cooperation is needed with county and school personnel in trying to obtain these documents as soon as possible.

- Proof of residency
- School records
- Certified birth certificate
- Legal guardianship papers
- Immunization records and/or a TB skin test result (in-state students only)

However, if you are coming from out of state without proof of at least the first series of immunizations and a TB skin test result, you will be enrolled, but homebound instruction will immediately be provided until appropriate immunizations and TB test results can be obtained.

When you move, the following should be done:

- Contact the school district's liaison for help in enrolling in a new school or arranging to continue in the school you have been attending.
- Contact the new school and provide any information necessary to assist the teachers in helping you adjust to new circumstances.
- Ask the local liaison, shelter staff, or a social worker for assistance with clothing and supplies, if needed.

### **Helpful questions to ask the school so that you may receive all needed services:**

- What transportation is available to stay in the same school?
- If I have to change schools, can someone help transfer records quickly?
- Are any tutoring services available?
- If special education services are needed, how long is the wait for testing?
- Are there special classes to benefit a talent I have?
- Are there sports, music or other activities available to me?
- How can I receive free meals at school?
- Are school supplies available?
- Will I be able to go on class field trips, if unable to pay?
- How can I get a required school uniform, if one cannot be bought?

**Your local school district liaison:**

Peggy Siler, MA  
Homeless Facilitator  
200 Elizabeth Street  
Charleston, WV 25311  
304-766-0351  
[psiler@mail.kana.k12.wv.us](mailto:psiler@mail.kana.k12.wv.us)

### Kanawha County Truancy Plan

In response to state legislation, Senate Bill 393, requiring county school systems to develop a plan to reduce truancy, excessive unexcused school absences, a truancy diversion plan has been established for middle and high school students.

Beginning with the 2016/2017 school year Kanawha County Schools Assistant Attendance Directors will assess juveniles with excessive unexcused absences, notify parents/guardians of these absences and work in collaboration with a school based team to develop a plan to improve the student's attendance. If the student continues to accumulate unexcused absences the student or parent/guardian will be referred to Kanawha County Magistrate Court where a Prepetition Truancy Diversion Agreement may be implemented. Community based services may be utilized to provide services to the student and family to assist with improving school attendance. Noncompliance with the prepetition diversion agreement and continued truancy will result in a truancy petition filed in Kanawha County Magistrate Court.

Kanawha County School's goal is to provide students and their families with the assistance necessary to ensure that every student maintains daily school attendance.

#### KANAWHA COUNTY BOARD OF EDUCATION POLICY

##### Homework

Series: 104

Reference: 126 CSR 42

Issued: 08.14.1975

Revised: 11.19.1998

Revision Number: 3

**4.01 Homework.** 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:

Kindergarten	15 minutes daily
1 <sup>st</sup> - 3 <sup>rd</sup>	30 minutes daily
4 <sup>th</sup> - 6 <sup>th</sup>	1 hour daily
7 <sup>th</sup> - 9 <sup>th</sup>	1.5 hours daily
10 <sup>th</sup> - 12 <sup>th</sup>	2 hours daily

#### TEXTBOOKS

The Kanawha County Board of Education furnishes<sub>36</sub>textbooks for all public school pupils at no cost to the

parent. Children are encouraged to take special care of their assigned books. All books are valuable and deserve good care. Parents will be charged for any textbooks their children lose or damage. Please help your child remember to return books to the school after each night they are taken home.

Parents needing information concerning junior high/middle school and senior high school courses and course requirements can obtain from their local schools the appropriate course description handbook.

## **COMMUNITY AGENCY/INDEPENDENT CONTRACTOR VISITATION POLICY**

### **Policy Manual, Rules and Regulations of the Board of Education of the County of Kanawha**

The Board welcomes professional visitors to the Kanawha County Schools. However, to minimize disruptions in educational programs, the District requests that individuals who desire to visit classrooms make arrangements through the Central Office. The superintendent or designee can then make the necessary arrangements or have someone knowledgeable in the area to be visited assist them in their visit. This also will ensure that the part of the program which visitors wish to see will be in operation upon their arrival. Conflicts also may be avoided with such other activities as testing, field trips, or assembly programs.

All visitors shall be required to report to the office upon entering a school. They are not to stand in the hallways, visit classrooms, or loiter on the campus without approval from the office. School personnel shall notify the office of any persons who may be visiting them, and those visitors should report to the office upon arriving at the school.

Any person, other than student or member of the school staff, shall have permission from the principal of the school before entering a classroom while classes are in session.

## **CLASSROOM VISITATION PROCEDURES**

### **VISITATION REQUEST**

Participate in a meeting with the Office Of Exceptional Students staff and describe program. Submit a Community Agency/Independent Contractor Information Sheet (EEA1) and list of Assigned Students (EEA2).

Submit to the Office of Exceptional Students a Classroom Visitation Request (EEA4). Include in each request the school name, teacher name, student name, parent name, reason for the request, and expected outcome of the observation. Sign Community Agency/Independent Contractor Visitor Agreement (EEA3) that is signed by the student's parent(s) which gives permission for classroom observation. If there is need to speak to the teacher after the observation, document that in the request.

Submit in writing to the Specialist/Case Manager assigned to student's school a description of home programs, etc., that are being provided by agency which impact the student's educational program.

**3.05 Removal of Students from School Premises.** Only custodial parents or guardians may pick up their children after school or remove their children from school. Other persons, including non-custodial parents, must be authorized in writing by the custodial parent or guardian to pick up a student after school or to remove a student from school. The District shall not undertake to monitor or enforce any Visitation schedule that may govern the day or days that parents and non-custodial parents pick a student up after school.

## **KANAWHA COUNTY BOARD OF EDUCATION POLICY**

### **Student Records**

**Series: J27**

**Reference: Family Educational Rights and Privacy Act of 1974; CFR Part 99; 126 CSR 94; 126 CSR 95**

**Issued: 09.21.1989**

**Revised: 02.18.1999; 06.21.2007**

**Revision Number: 2**

#### **27.01 Definitions.**

- (a) Student – Any person who attends or has attended a school in the Kanawha County School District.
- (b) Eligible student – A student or former student who has reached age 18 or is attending a postsecondary school.
- (c) Dependent eligible student – An eligible student who is a dependent as defined by the Internal Revenue Code.
- (d) Parent – Either natural custodial parent of a student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.
- (e) Education records – Any record (in handwriting print, tapes, film, microfilm, microfiche, or other medium) maintained by the Kanawha County School District, or an agent of the District, which is directly related to a student, except:
  - (1) A personal record maintained by a teacher, supervisor or administrator which is in the sole possession of the maker and is not revealed to anyone except the maker's temporary substitute.
  - (2) An employment record which is used only in relation to a student's employment by the District.
  - (3) Alumni records which contain information about a student after such student is no longer in attendance at the District and the records do not relate to the person as a student.
- (f) School official – A person employed by Kanawha County Schools as an administrator, supervisor, teacher, or support staff member; a person elected to the Kanawha County Board of Education; or, a person employed by or under contract to perform a special task, such as an attorney, auditor, medical consultant or therapist.
- (g) Legitimate educational interest – An interest related to a student's education, related service or discipline.
- (h) District – The Kanawha County School District.

**27.02 Annual Notification.** Each school shall annually notify parents of students currently in attendance, and eligible students currently in attendance of their rights under the Family Educational Rights and Privacy Act of 1974 (FERPA). In addition to the foregoing, parents shall be notified that the names, addresses and telephone listing of juniors and seniors will be made available to armed services recruiters, unless the parents or eligible student notifies the principal not to include the student's name, address and telephone listing in the information supplied to the armed services recruiters. Such notification shall occur as soon after the commencement of each school year as is practicable, and no later than September 30 of each school year, and shall be provided by one or more of the following alternatives: publication in student/ parent handbook; publication in newsletter directed to students/parents; or direct mailing to parents and eligible students.

**27.03 Procedure to Inspect Education Records.** Parents of students, eligible students or parents of dependent eligible students may inspect and review the student's education records upon request, except that a request from a parent will not be honored if the District has been provided with evidence that there is a court order, State statute, or legally binding document relating to such matters as divorce, separation,<sup>38</sup> or custody that specifically revokes parental rights.



Written requests shall be directed to the student's school principal and shall, as precisely as possible, identify the record(s) sought. The principal (or other appropriate school official) shall facilitate access to the education records as promptly as possible, but no later than 45 calendar days from the date of the receipt of the request.

**27.04 Refusal to Provide Copies of Education Records.** The District will not provide copies of records which reveal standardized test questions.

**27.05 Fees for Copies of Records.** The fee for copies will be \$.10 per page plus any postage. Parents of students eligible for free or reduced lunch shall not be required to pay fees for copies of records.

**27.06 Types, Locations, and Custodians of Educational Records.** The following list indicates the types of records that the District maintains, their locations, and their custodians:

**Type of Record**

*Permanent Record Card:* 200 Elizabeth Street, Administrative Assistant of Personnel; School building, Principal

*Test Record Card:* School building, Principal

*Psychological Records:* 200 Elizabeth Street, Lead Psychologist

*Health Records:* 200 Elizabeth Street, Lead School Nurse

*Exceptional Students Records:* 200 Elizabeth Street, Director of Exceptional Students

*Chapter I Records:* 200 Elizabeth Street, Director of Chapter I

**27.07 Disclosure of Information on Educational Records.** The District shall not disclose personally identifiable information from a student's education records, absent written consent of the parents or eligible student, except:

- (a) To school officials who have a legitimate educational interest in the records.
- (b) To officials of another school in which the student seeks or intends to enroll upon the request of such official.
- (c) To certain officials of the United States Department of Education, the Comptroller General, and state and local educational authorities (including the Division of Rehabilitation Services), in connection with certain state or federally supported education programs.
- (d) In connection with a student's request for a receipt of financial aid, as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
- (e) To organizations conducting certain studies for or on behalf of the District.
- (f) To accrediting organizations to carry out their functions.
- (g) To parents of an eligible student who claims the student as a dependent for income tax purposes.
- (h) To comply with a judicial order or lawfully issued subpoena. Notice of such compliance will be given in advance to parents or eligible student.
- (i) To appropriate parties in a health or safety emergency.

**27.08 Record of Requests For Disclosure.** The District will maintain a record of all requests for and/or disclosure of information from a student's education records, excluding requests of school officials and requests for directory information. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents, eligible student or parents of a dependent eligible student.

**27.09 Directory Information.** The District designates the following items as Directory Information: student name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, indication of "graduate" or "non-graduate," degrees and awards received, most recent previous school attended, and photograph. The District may disclose any of the aforementioned items without prior written consent, unless notified in writing to the contrary by September 30 of each school year.

**27.10 Correction of Education Records.** Parents or eligible students have the right to seek the correction of records they believe to be inaccurate, misleading, or in violation of their privacy rights. The procedure for the correction of records is set forth as follows:

- (a) Parents or eligible student must submit a written request to the District to amend the record which specifies the part of the record they want changed and the reason they believe it is inaccurate, misleading or in violation of the student's privacy rights.
- (b) The District may comply with the request and provide written notification to the parents or eligible student of its decision to amend the student's record. If the District elects not to comply with the request, notice of the decision and information concerning the right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights shall be provided to the parents or eligible student.
- (c) Upon request, the District will arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place and time of the hearing.
- (d) The hearing will be conducted by a school official who has no direct interest in the outcome of the hearing. The parents or eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the initial request to amend the student's education records. The parents or eligible student may, at their own expense, be assisted or represented by one or more individuals, including an attorney.
- (e) Within a reasonable period after the hearing the District will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence and the reasons for the decision.
- (f) If the District determines that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will provide notice to the parents or eligible student of the right to place in the record a statement commenting on the challenged information and/or a statement which sets forth the reason for disagreement with the decision.
- (g) Any statement submitted by a parent or eligible student shall be maintained so long as the contested information is maintained. If the District disclosed the contested information, it will also disclose the statement.
- (h) If the District determines the information is inaccurate, misleading or in violation of the student's right of privacy, it will amend the record and provide written notification to the parents or eligible student that the record has been amended.

**27.11 Disclosure of List of Juniors and Seniors to Armed Forces Recruiters.** Subject to the requirements of this policy, including the requirement that directory information be withheld upon the written request of parents or eligible students, each high school principal shall, upon request, release the names, addresses and telephone listings of juniors and seniors to armed forces recruiters.

**KANAWHA COUNTY SCHOOLS  
DIRECTORY INFORMATION REFUSAL FORM**

“Directory Information” as defined by Kanawha County Schools, includes the following categories: Student name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, indication of “graduate” or “non-graduate”, degrees and awards received, most recent previous school attended, and photograph.

Once such information is published as Directory Information, it may be disclosed at the discretion of the school system without parent/guardian or student permission.

If you so refuse, you must inform the school in writing by September 30th.

Please use the following form for informing the school of the specific categories in the Directory Information that you do not want released without your written approval.

I refuse to permit the designation of the following information as Directory Information:

---

---

---

---

---

---

(Specific Categories)

---

(Name of School)

---

(Student Name)

---

(Birth date)

---

(Signature Parent/Guardian/Eligible Student)

---

(Date)

**STUDENT RIGHTS AND RESPONSIBILITIES**

Every student has the right to attend school free from fear for his/her personal safety and from the threat of psychological abuse.

Every student has the responsibility for not disturbing or interrupting the education of others or intimidating students and teachers.

Every teacher has the responsibility for assisting in maintaining an orderly learning environment.

Every parent has the responsibility for ensuring that school rules are legal, clearly stated, well publicized and fairly enforced.

A copy of Kanawha County Student Rights and Responsibilities Handbook which is approved by West Virginia Board of Education is on file in the principal's office. If you wish to examine it, please feel free to come in at any time.

## **ASBESTOS MANAGEMENT PLAN**

The Kanawha County School System is committed to maintaining a safe and healthful learning environment for all children in our schools. Recently certain materials, known as "asbestos", which may pose a health problem, have been identified in our schools.

Kanawha County Schools, in keeping with our commitment to provide a safe school environment, is identifying all asbestos in our schools in compliance with the Asbestos Hazard Emergency Response Act. This information has been placed in the school's Asbestos Management Plan and may be reviewed in each school.

In recent years Kanawha County Schools has removed friable asbestos-containing material from several schools. Some asbestos-containing material will be rendered non-friable by the use of encapsulating materials or simple repairs. The response action section of this plan addresses this type of correction work. Efforts will be continued as needed to provide a safe environment for all students, staff, and public.

The Kanawha County Schools' plan for asbestos control is on record with the United States Environmental Protection Agency and with the West Virginia Department of Education.

## **ENGLISH AS A SECOND LANGUAGE (ESL) PROGRAM SERVICES**

Kanawha County Schools offers English as a Second Language Program to students with limited English proficiency.

The goals of the English as a Second Language (ESL) Program are to help limited English proficient students learn English as quickly as possible through specific ESL instruction and to help them be successful in their academic programs. The ESL Program is a content-based program which is staffed by six certified ESL teachers. For more information about this program, please contact the ESL Office at (304) 348-1375.

### **German**

Eltern von Schülern die eine andere Sprache als Englisch sprechen, können Informationen über verfügbare Dienste des Kanawha County School Systems in ihrer Muttersprache erhalten, wenn sie die Nummer 348-1375 anrufen.

### **Vietnamese**

Nếu cha mẹ nào có khó khăn về tiếng Anh.  
Thì có thể liên lạc bằng tiếng Việt với nhà  
trường Kanawha County Schools qua số  
điện thoại 348-1375.

#### **French**

##### **Les Services du Programme de la Langue Alternative**

Les parents de la langue minoritaire peuvent obtenir les renseignements dans leur langue primaire au sujet des services fournis par les écoles de Kanawha County s'ils téléphonent au 348-1375.

#### **Spanish**

##### **Servicios de Programa de Lengua Alternativa**

Los padres que no tienen el inglés como lengua nativa pueden obtener información en su idioma sobre los servicios ofrecidos por las escuelas de Kanawha County, contactando al número de teléfono: (304) 348-1375.

#### **Japanese**

英語以外を母国語とする保護者の方には、子供の英語のプログラムについて  
母国語（日本語）でご案内します。カナワ郡教育部の304-348-1375に連絡  
してください。

#### **Hindi**

कैन्सास राज्य अकादमिक आधिकारिक

आपका बच्चा आपकी भाषा सिखने की  
सहायता के लिए है। यदि आपकी भाषा नहीं है,  
तो आपका बच्चा सुनिश्चित है कि वह कक्षा में  
आपकी भाषा को समझ सके। (2018-1375)  
यह भी आपकी भाषा में आपका बच्चा को  
है। यह आधिकारिक सुचना है।

**Mandarin Chinese**

另外的 交替语言公司

少数语言(学生的)家长们,可以得到有他们  
的第一语言或本国语言的消息. 只要打(304) 348 - 1375

**KANAWHA COUNTY BOARD OF EDUCATION POLICY**

**Subdistrict Transfers**

**Series: J32**

**Reference: W. Va. Code §18-5-16**

**Issued: 04.16.1992**

**Revised: 03.20.2002; 05.05.2003; 05.20.2004; 03.15.2007; 08.16.2007; 10.17.2007; 03.26.2009; 06.17.2009; 01.20.2011; 08.26.2011; 05.06.2013 Revision Number: 11**

**32.01 Attendance Areas.** The Superintendent shall cause to be published both a text description and a map of the attendance area for each school. Proposed modifications of attendance areas shall be placed on

first reading at a regularly scheduled meeting. The Board shall not take action upon such proposed modification until the next ensuing regularly scheduled meeting.

**32.02 Exceptional Students.** The Department of Exceptional Students shall designate the “home school” for exceptional students who are required to receive specialized educational and related services that are not available in the appropriate school within the attendance area of residence.

**32.03 Attendance Requirements.** Except as hereinafter provided, students shall be required to attend the appropriate school within the attendance area where they reside. Residence shall be determined by the residence of the custodial parent[s], legal guardian, or legally responsible adult or institution. Owning or leasing property within an attendance area does not constitute residence, unless the family actually resides in the premises. Kanawha County Schools may make home visits to determine residency.

**32.04 School Registration.** Applications for admission to the public schools shall be made at the appropriate school located within the attendance area of student residence. The principal or other person responsible for admission and registration procedures may require the submission of information to verify residence, such as property tax receipts, utility bills, current driver's license, rental agreement, voter registration information, etc. If evidence exists to indicate that the information concerning residency may be erroneous, an investigation shall be conducted by the receiving school, and a report provided to the Superintendent's designee. If it is determined that erroneous information concerning residency was given the student will be referred to their correct school of attendance.

**32.05 Out of Area Transfer Procedure.** In the event a transfer is sought for an elementary school student, application shall be completed and sent to the Assistant Superintendent for Elementary Schools. Kindergarten students must register in their home school. If admission is sought at a Middle or High School outside the attendance area of student resident, other than to attend a High School Choice Program, the application shall be made at the school to which they wish to transfer. The form will then be forwarded to the home school for review. When the transfer has been reviewed at the home school, the transfer form will be sent to the appropriate Assistant Superintendent's office for final approval. The Request for Transfer shall be made on the appropriate form and no phone applications shall be accepted. Requests for Out of Area Transfer will be accepted beginning April 1 of each year for the ensuing school year.

**32.06 High School Choice Program Application Procedure.** In the event a student wishes to apply for placement in a High School Choice Program, the application is to be made electronically and on-line and the completed application will be forwarded to the Assistant Superintendent's office. Requests for High School Choice Programs will be accepted electronically from April 1 through July 1 for the ensuing school year.

Applications for the High School Choice Program are to be made through the Kanawha County Schools web site at <http://kcs.kana.k12.wv.us>.

**32.07 Transfer Criteria.** The following criteria shall be considered with respect to applications to attend schools outside the attendance area of student residence:

- (a) Student-teacher ratio limitations: Kindergarten 17 to 1; grades 1-3, 20 to 1; grades 4-5, 22 to 1.
- (b) At the middle school level, a transfer request may be approved if the additional student does not cause the average number of students per teacher in the core courses to be higher than 23 in grade 6 or 25 in grades 7-8. Core courses include English, social studies, science and math.

- (c) Grades 9-12; Students may apply to transfer to a High School Choice Program. Students transferring to attend a High School Choice Program must have a schedule that reflects this program.

In order to remain in the High School Choice Program, a student must meet the following criteria:

- a. the student must maintain a 3.0 GPA in his or her program of choice and a 2.0 in his or her overall GPA at the end of each semester;
- b. the student must not be consistently tardy or absent from school; and
- c. the student must maintain acceptable conduct, which is defined as not being suspended for more than ten days cumulatively during any school year or not committing any Level III or Level IV offense, as described in Kanawha County Schools Student Behavior Policy.

In the event a student exits a High School Choice Program for any reason other than conduct described in paragraphs b and c above, the student may elect to remain at the same school site for the remainder of the school year and be provided regular educational programming, or the student may elect to return to his or her home school. At the end of the applicable school year, the student must return to his or her home school. If the student exits that High School Choice Program for reasons described in paragraphs b and c above, the student may be required to return to his or her home school immediately.

All out of area high school transfers will be subject to space availability. Parents and students may also request an out of area transfer, which will be considered on the basis of the best interest of the student and the school district and on a space available basis.

- (d) Each Assistant Superintendent who approves or disapproves transfer requests shall, when making such a determination, bear in mind the effect that granting or denying the request would have on the racial makeup and balance of the home school and the receiving school.
- (e) Each Assistant Superintendent and principal reviewing the transfer application shall take into consideration any factors relevant to the best interest of either the student or the school district.
- (f) With respect to exceptional students, receipt of written acknowledgment that the basis for the application is nonprogrammatic.
- (g) The Superintendent shall have final authority to approve or disapprove any transfer and to rescind or revoke any transfer.

**32.08 Out of Area Enrollments/ Continuing Status.** Except as otherwise provided in this policy, upon the approval of an application of a student to attend a school outside the area of residence, such student shall continue to attend the schools of the receiving school's attendance area and any subsequent change in attendance area will be subject to the application requirements of Sections 32.04 and 32.05 of this Policy. Furthermore, subject to the provisions of this policy, any student who has been approved to attend school outside the area of residence may elect to continue to attend the school or schools fed by the school to which the student has transferred.

Notwithstanding the foregoing, any student who is granted an out of area transfer effective with for 2013-14 school year and thereafter, may have his or her out of area status rescinded in the event there is



overcrowding in the student's grade level or in the school the student is attending. In the event a student's out of area status is rescinded, the student and/or parent will be notified by April 1, of the rescission of the out of area status, effective with the beginning of the next school year.

Students who live outside of the attendance area of the school in which they are enrolled, who are consistently tardy or absent from school, as defined by the school rules or policies, or who become chronic behavior problems, may have their transfer status revoked.

In addition to the foregoing, once a student's application for an out of area transfer is approved, all the student's siblings, including half siblings and step siblings, living at the same residence, shall be permitted to enroll in the out of area school without the requirement for additional application(s), so long as the original student or any sibling is attending the out of area school; provided that for any out of area transfer effective after July 1, 2013, the privilege of siblings being permitted to attend the same out of area school is rescinded, however the parents of the siblings may apply and be considered for out of area transfer.

**32.09 Move of Custodial Parent[s], Guardian, or responsible Adult.** Students of a custodial parent[s], legal guardian, or legally responsible adult who move to a different attendance area may elect to remain in and be considered residents of their then current attendance area. Such an election shall be deemed permanent to the extent that any subsequent change in attendance area will be subject to the application requirements of Sections 32.04, 32.05 and 32.13 of this Policy.

Beginning with the 2013-14 school year, any student who moves to a different attendance area during the school year may elect to complete the school year at the school the student attended prior to the move. During subsequent years, the student must attend the school in the attendance area in which the student resides, however, the student may apply for out of area status and be considered for such in accordance with this policy.

**32.10 School Closures.** All students who attend a school which is closed and who reside outside the attendance area of such school shall be deemed enrolled in the school designated to receive the students from the closed school. In the event two or more schools are designated to receive students from a closed school, such students must elect to attend one of the designated schools. However, such students may apply for admission in schools outside such attendance area, under the terms of this Policy.

**32.11 Dual Attendance Area and Boundary Issues.** In the event of overcrowding at a school or transportation issues, students who live in a dual attendance area or who reside adjacent to an attendance area boundary line may be designated to attend one of the schools receiving students from the area or boundary. The parents of any such students will be notified before April 1 of the school which the student will attend for the ensuing school year.

**32.12 Superintendent Initiated Transfers.** The Superintendent may transfer any student from one school to another for reasons determined to be in the best interests of the student or the school district. Disciplinary transfers shall be made on such terms and conditions established by the Superintendent. A behavior contract will be developed for each student transferred for disciplinary reasons. The principal of a school, which receives a disciplinary transfer, shall apprise the Superintendent of any failure of a student to abide by established terms and conditions of a transfer.

**32.13 Transportation.** Students, who are admitted to schools outside the attendance area of residence, including students who elect to remain in school in an attendance area after moving to another attendance

area, shall not be entitled to transportation. However, such students may ride on existing school bus routes on a space available basis. Kanawha County Schools and the Kanawha Valley Regional Transit Authority have cooperated to provide limited transportation for students enrolled in a High School Choice Program.

### **32.14 Athletic Participation 6-12.**

The eligibility for participating in interscholastic athletics, including cheerleading, by students who transfer schools within or outside of Kanawha County Schools shall be governed by the rules adopted by the West Virginia Secondary Schools Athletic Commission. West Virginia Secondary Schools Athletic Commission Rules 127 CSR 2 will apply for all athletic eligibility questions.

#### **OFFICE OF ATTENDANCE AND SOCIAL SERVICES**

The Office of Attendance and Social Services is staffed by the Lead Attendance and Social Services Director and secretary; along with 24 full-time Assistant Attendance Directors (ADDs), a Homeless Facilitator, and a Truancy Diversion Worker. The Homeless Facilitator plays a vital role of delivering services to identified homeless students. Resources are available in an effort to continue schooling without delays for students identified as homeless. The Truancy Diversion Worker (TDW) will work closely with our staff with monitoring truancy programs in our schools, staff training, and serve as our linkage to the court system and other agencies in Kanawha County. Our office is the link between the school, home, and the community. Pursuant to West Virginia Code 18-8-1, attendance of students is the primary focus of the Assistant Attendance Directors. Attendance problems can be an indicator of other problems a student may be experiencing, such as psychological, emotional, social, or socioeconomic issues. The Assistant Attendance Director assist with developing and providing those interventions necessary for the families and students to optimize the student's potential to learn in their educational programs.

It is imperative that students arrive at school on time. Arrival time should allow for school breakfast (if breakfast is eaten at school), going to locker and being prepared to begin the school day. **Tardiness** is a school distraction and can easily become a serious problem. Academic failure can be associated with students coming to school tardy. Learning begins immediately and it is important for students to be well prepared for the school day. Signing your child out early is discouraged. Early sign out is a disruption to the total learning environment of all students. In order to promote a positive learning environment, we request parents send their child/children to school every day and schedule all appointments after school hours if possible. Some of the services provided from our office are:

- Student attendance data
- Dropout prevention
- Homeless intervention
- Clothing and shoes
- Community resources
- Home school assistance
- Identifying and reporting child abuse and neglect
- Crisis intervention
- Advocate for students, parents, and school system

- Driver Eligibility Certification for driver's permit
- Universal Pre-K services
- Truancy Diversion

## ATTENDANCE

### KANAWHA COUNTY BOARD OF EDUCATION POLICY

#### Attendance

**Series: J19**

**Reference: W. Va. Code §18-8-1 et seq.; 126 CSR 18; 126 CSR 84**

**Issued: 06.18.1987**

**Revised: 06.15.2000; 06.21.2001; 06.09.2003; 02.19.04;**

**03.18.2004; 10.21.2009; 03.17.2011**

**Revision Number: 8**

#### 19.1

Philosophy - The fundamental purpose of the attendance policy is to assure and increase attendance. The Kanawha County Board of Education recognizes that a direct relationship exists between daily school attendance, student performance, graduation, and work habits in the workplace. All students are expected to attend school regularly and be on time for class. To facilitate acceptable attendance levels, the schools will provide a positive climate and a safe environment conducive to learning. Students will have the opportunity to develop responsibility, self discipline, and good work habits.

#### 19.2

Parental Philosophy - Parental awareness, support, and involvement are essential ingredients in a successful attendance policy. Parents are encouraged to support the attendance policy by sending their children to school regularly. Kanawha County Schools recognizes the importance of the home and school connection and strongly encourages parents to become aware of the policies and procedures of Kanawha County Schools and their child(ren's) schools. Parents should become familiar with their rights and responsibilities that are outlined in this policy and the school's handbook. With good attendance the students can maximize the development of good work habits, self discipline, responsibility, and a higher level of achievement. Good attendance is essential to better performance.

#### 19.3

##### Definitions

19.3.1            Absence - Not being physically present in the school facility for any reason.

19.3.2            Excused absence - Shall mean absences from school or individual classes due to:

19.3.2.1           School approved curricular or co-curricular activities.

19.3.2.2           Failure of the school bus to run or other hazardous condition.

19.3.2.3           Illness or injury of the student requiring physician's verification.

- 19.3.2.4** 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.
- 19.3.2.5** Illness of student verified by parent/guardian not to exceed five (5) days per school year.
- 19.3.2.6** Illness or injury in family when student absence is verified as essential by physician.
- 19.3.2.7** Calamity, such as fire in the home, flood, family emergency, or hazardous condition shall be approved by the school principal.
- 19.3.2.8** Death in the family. Limit three (3) days for each occurrence except in extraordinary circumstances. "Family" is defined as mother, father, brother, sister, grandmother, grandfather, aunt, uncle, brother in-law, sister in-law, brother's children, sister's children, student's child(ren), or any person living in the same household.
- 19.3.2.9** Leaves of educational value adhering to these stipulations: (1) Prior approval of school administrator. (2) Prior submission and approval of educational plan detailing objectives and activities. (3) Leave not to exceed ten (10) days. (4) Verification of implementation of the educational plan upon student's return. (5) Leave to extend more than ten (10) days requires County Board approval.
- 19.3.2.10** Legal obligation with verification.
- 19.3.2.11** Observance of religious holidays with verification.
- 19.3.2.12** Contagious parasite conditions, such as lice, which has been verified by school personnel, shall be excused absences not to exceed two (2) days per incident. If student's absences exceed two days they will then be counted as unexcused unless physician verification is received to support the extended time period.

**19.3.2.13** “Documented chronic medical condition” means any physical or mental condition that may require multiple or regular absences. This condition must be documented annually with a valid physician’s note that explains the condition and anticipated impact on attendance. The necessity of the absences must be approved and reviewed quarterly by the SAT, IEP or 504 team. Such absence(s) shall be considered an allowable deduction for purposes of this policy.

**19.3.2.14** “Documented disability” means any mental or physical impairment that substantially limits one or more major life activities and is documented annually with a valid physician’s note that explains the disability and anticipated impact on attendance. The necessity of the absences must be approved and reviewed quarterly by the SAT, IEP or 504 team. Such absence(s) shall be considered an allowable deduction for purposes of this policy.

**19.3.3** Unexcused absences shall mean an absence from school or an individual class that is not excused pursuant to section 19.03.2 of this policy.

**19.3.4** Tardy shall mean arrival by a student after the appointed time for the commencement of school or an individual class which a student is scheduled to attend. Students who leave prior to the end of the school day will be counted as an early departure. Students must make up work missed for arriving late or leaving early. Excessive tardiness shall be addressed by schools using the following procedures: five (5) tardies – phone call from the teacher or other designated school representative; seven (7) – eight (8) tardies – letter via U.S. mail; ten (10) tardies – conference with student, teacher, principal and parent; eleven (11) tardies – refer to SAT; fifteen (15) tardies – refer to central office. Parents must come in to the school office and sign the student in if tardy. Tardiness due to medical and dental appointments must have a written excuse from the doctor’s office. Each school may adopt such additional procedures as it may deem appropriate in order to address tardiness, which shall not be in conflict with this policy or any other provision of law. Schools may impose corrective/disciplinary

action in accordance with the individual school policy. Schools may refer to the information provided by the County Tardy Committee for additional strategies on addressing tardiness.

**19.3.5** Student shall mean any student enrolled in Kanawha County Schools including any Pre-K student.

**19.3.6** Home/Hospital instruction for medical reasons – A physician must provide written documentation defining those extenuating medical circumstances requiring homebound instruction for a student deemed to be incapacitated and unable to attend school. The school will provide work until the placement is approved. Upon approval a homebound education shall be provided and the student will then be classified as no longer in the building and shall not be counted absent using the state approved WVEIS code. If the student does not meet with the educational plan prescribed as scheduled, and there is not a medical reason for not keeping the scheduled instruction time, truancy action will be pursued when deemed appropriate by the County Attendance Director.

**19.3.7** Suspension – A principal may suspend a student under the provision of W.Va. Code 18-8-5-1a or any other violation listed in the County Code of Conduct. Students may not be suspended solely for tardiness, early departures or absences. The County Board of Education assures that a student may not be suspended solely for failure to attend class. Some methods of discipline for failure to attend class may include, but are not limited to, detention, extra class time, or alternative class settings. Absences resulting from the suspension of a student are unexcused. Make-up work shall be provided in accordance with Section 19.09 herein.

**19.3.8** Expulsion – When a student is suspended pending expulsion, the school shall make provision for the class work to be picked up by the parent/guardian or designee so that the student may continue pursuing education either until the student returns to school or the student is assigned an alternative placement. If the hearing results in an expulsion the County SAT or IEP will provide an educational placement for the student. The student shall not be dropped from the

school attendance record but shall be assigned the allowable WVEIS deduction code as defined by the WVDE.

**19.3.9**            **Enrollment** – A student is officially enrolled when one of the following conditions occur: 1) the student was enrolled the previous year and did not graduate; 2) the student appears at the school to enroll with or without a parent or guardian; or 3) the student and/or parent/guardian appears at school to enroll with or without records.

**19.3.10**           **Awaiting Foster Care Placement** – Any child or youth who: 1) is in the custody of the West Virginia Department of Human Resources; 2) has been placed in out-of-home care; and 3) is not in a permanent placement. This includes, but is not limited to, children and youth in family foster care, kinship care, emergency shelter care, or in a residential group home.

**19.4**            **Records and Reporting** - The Attendance Director shall monitor absenteeism reporting through the WVEIS system for the purpose of maintaining an accurate account of daily attendance for every student. WVEIS codes shall be uniform in recording absences in all schools and should reflect the allowable deductions as defined by the WVDE.

**19.4.1**            **Allowable Deductions for Schools** – absences that result from school-approved curricular/co-curricular activities; failure of the bus to run/hazardous conditions; excused student absences; student not in attendance due to disciplinary measures; and absent students whom the Attendance Director/Assistant Attendance Director is pursuing judicial remedies to compel attendance (filed criminal complaint or juvenile petition) due to the provision of W. Va. Code §18-8-4.

**19.4.2**            **Attendance reporting** – for statistical purposes, attendance will be reported and aggregated to the nearest half day according to the definitions in 19.04.2.a and 19.04.2.b.

19.4.2.a    Full day attendance means being present at least .74 of the school day.

19.4.2.b    Half day attendance means being present at least .50 of the school day.

**19.5**        **School Referral Responsibilities and Procedures** - Each school shall appoint a designated school attendance coordinator, principal or designee, who monitors and collects attendance data on a regular and ongoing basis. Student attendance data will be recorded on WVEIS on a daily basis using the allowable deduction, as defined by the WVDE. Absence reason codes and five day unexcused notification shall be current at all times. The coordinator will meet at a regularly scheduled time with the County Attendance Director/Assistant Attendance Director and make appropriate referrals for services and/or legal action in accordance with W.Va. Code 18-8-1. The County Attendance Director will provide each school with handbook containing information on referral procedures and referral forms.

**19.6**        **School Attendance Procedures** - The Board recognizes that a variety of approaches may be successful in maintaining acceptable attendance levels and that individual schools should be free to develop innovative methods within the requirements of this policy. Each school shall develop and maintain a written attendance procedure which should include incentives to maintain and improve attendance. This procedure should be filed with and monitored by the County Attendance Director.

**19.7**        **Parental Notification Requirements** – School attendance procedures shall contain at least the following notification components:

**19.7.1**        At the commencement of each school year parents/guardians and students shall be provided with a copy of the county attendance policy and school procedures. New arrivals during the school year shall also be provided with a copy of the same information.

**19.7.2**        Parents/guardians shall be advised of their responsibility to report the absence of their children and their accountability for the regular school attendance of their children. Each day a student is absent, the parent shall contact the school to advise that the student will not be in attendance. A written note with parent signature or any allowable excuse documentation, defined in 19.03.02, should be sent to the school when the student returns with the reason for absence.

**19.7.3**        The school will notify the parent promptly, if a call is not received from the home, to notify of the student's absence.



**19.7.4** Parents shall be notified, and invited to attend, Student Assistance Team (SAT) meetings wherein a recommendation concerning attendance is to be considered with respect to their child.

**19.7.5** The principal shall contact, by letter, any parent, guardian, or custodian of the student and hold a meeting with such person and the student when the student has accumulated five unexcused absences.

**19.7.6** A student whose educational services are guided by an existing SAT plan, IEP OR 504 plan may warrant special consideration when a pattern of single, multiple or chronic absences exists. The student's current status should be reviewed quarterly by the SAT, IEP or 504 team and in accordance with state and federal laws.

**19.8** **Preventive and Educative Procedures and Incentives** – Early prevention of absenteeism shall include educative brochures from the county attendance office being sent to the home with the student at the start of each school year. New enrollees throughout the year will be provided these brochures, as well as new kindergarten enterers at spring roundup. Brochures included are entitled Attendance Procedures and The Law, Driver's License Attendance Policy and Procedures and Tardiness Procedures and Guidelines.

**19.8.1** The County attendance director and assistants shall develop incentives and recognition for those students showing and maintaining improved attendance. A county wide perfect attendance award for high school seniors shall be implemented. Partnerships with local businesses will be sought to be of assistance in providing the rewards.

**19.8.2** Schools shall develop attendance incentives for perfect and faithful attendance and use school wide recognition programs for students attaining these accomplishments. Perfect attendance shall be awarded to those students who have been present every day of the school year for at least .74 of each school day. Faithful attendance shall be awarded to those students who have been absent no more than five days of the school year.

**19.8.3** **Preventive In-School Resources** – Students may be referred to the school counselor, other student support personnel, student assistance team (SAT), mentoring program, or peer program for

students with excessive absences. Incentives may be included as a part of the interventions used to address the absenteeism.

**19.8.4**            **Interagency Resources** – Shall be used for alternative plans and programs that are positive in nature and encourage improved school attendance. The County Attendance Director and assistants shall maintain contact and utilize these outside resources. Parents and students shall be made aware of counseling, mentoring, behavioral, mental health, substance abuse, domestic violence, health, and other services available.

**19.9**            **Opportunity To Make Up Work and Evaluation** – All students are expected to make up work missed due to absences.

**19.9.1**            **Absences of Two Days or Less.** For students in grades K – 8, it is the teacher’s responsibility to provide makeup work within two school days of the return of the student to school. For students in grades 9 – 12 it is the responsibility of the student to request makeup work within two school days of return to school.

**19.9.2**            **Absences of More than Two Days.** After a student has been absent for more than two consecutive days, the school will make provision for the class work to be picked up by the parent/guardian or designee so that the student may continue pursuing education until the student returns to school.

**19.9.3**            **Make up Procedure.** Upon receiving makeup work from the teacher, student must submit the work within a time line designated by the teacher or school policy. Students will be afforded the opportunity to learn missed concepts occasioned by excused or unexcused absences in order to progress through their program of studies. Teachers are responsible for providing a minimum of one day for each day’s absence for students to make up missed work assignments and/or evaluation that are occasioned by excused or unexcused absences. Teachers may, in their discretion, require alternative work assignments and/or evaluation procedures.

**19.10** Failure to Make Up Work and/or Evaluations within the guidelines established in section 19.09 of this policy will result in loss of credit for that work or evaluation and could result in failing the class.

**19.11** Credit – In all cases, credit shall be based upon completion of assigned instructional activities and academic performance as defined by established evaluation procedures.

**19.12** Penalties for Unexcused Absences – School attendance procedures may include reasonable penalties for the accumulation of unexcused absences or tardiness. Excessive absenteeism and tardiness shall be referred to the County Attendance Director or Assistant Attendance Director for appropriate legal action. Parents/guardian shall be contacted by written legal notice when the student accumulates five (5) unexcused absences in a school year. A conference shall be required within ten (10) days to resolve any problems contributing to the absences. Continued absences after a legal notice has been served may result in legal action against the parents/guardian or the student in the event the student is 18 years old or older. State Code stipulates that a fine of \$50 - \$100 or jail sentence may result for each unexcused day.

**19.13** Attendance Appeal Procedure – An appeal of an attendance decision may be made by a student or parent to the school principal or the county Attendance Director. An appeals committee which shall include the principal, County Attendance Director/Assistant Attendance Director, school counselor, or other school personnel as needed will address the appeals.

**19.14** Homeless Reporting – The County Attendance Director shall serve as the liaison for homeless children and youth as defined in W.Va. Code §18-8-4. Duties of the liaison for homeless children and youth were expanded as defined in Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), as the liaison for homeless children and youth, the attendance director is required to:

**19.14.1** ensure that public notice of the educational rights of students in homeless situations is disseminated where children and youth receive services.

**19.14.2** ensure that parents or guardians are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children.

**19.14.3** ensure that parents or guardians are informed of, and assisted in accessing, all transportation services for their children, including to the school or origin.

**19.14.4** help unaccompanied youth choose and enroll in a school, after considering the youth's wishes, and provide the youth with notice of his or her right to appeal the school district's decision.

**19.14.5** immediately assist in obtaining immunizations or record of immunizations or other medical records for those students who do not have them, and assure that students are enrolled in school while the records are being obtained.

**19.14.6** ensure that homeless children and youths are identified by school personnel and through coordination activities with other entities and agencies.

**19.14.7** ensure that homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local educational agency.

**19.14.8** ensure that homeless families, children, and youths receive educational services for which such families, children, and youths are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services.

**19.14.9** ensure that enrollment disputes are mediated as outlined in Paragraph (3) (E) of Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

**19.15** **Homeless Children and Youth** – Federal definition for homeless children and youth added to policy as defined in Subtitle B of the title VII of

McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

**19.15.1** 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; or are awaiting foster care placement;

**19.15.2** 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;

**19.15.3** children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

**19.15.4** migratory children who qualify as homeless because of the children or youth are living in circumstances as described in the above descriptions.

**19.16** School of origin defined in Subtitle B of Title VII of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

**19.17** Drop Out Reporting – The County Attendance Director shall monitor the reporting of dropouts to the State Department of Education.

**19.18** Alternative School /Out of School Environment (OSE) – Educational programs where instruction is provided to students that have been removed from school by expulsion, violation of safe school policy, or continuous violation of school rules and regulations supported by the County Code of Conduct. The student may be assigned to receive instruction through an alternative setting.

**19.18.1** Middle school students attend a day program in an educational setting with smaller classes and support provided by a psychologist, counselor, and social worker in addition to the educational team.

**19.18.2** The academy program is designed for grades nine (9) through twelve (12). The classes are small and meet in the evening at identified high school locations.

**19.18.3** Homebound instructors are assigned to meet with students at an assigned site for up to four (4) hours of instruction weekly.

**19.18.4** The school shall provide work until the educational placement instruction is in place.

**19.19** **Instructional Day Guidelines and Exceptions** – All students shall be scheduled for the full instructional day including all four years of high school. Exceptions made by the County Board for college courses, advanced technical programs, and participation in the WV Virtual School are included in Kanawha County Board of Education Policy, Series J20, pursuant to State Board Policy 2510.

**19.20** **Drivers License**. A Driver Eligibility Certificate is issued to any student who is at least fifteen but less than eighteen years of age who is in satisfactory standing with regard to attendance, school behavior and academic progress. In order to obtain a Driver Eligibility Certificate a student's absences cannot exceed ten (10) consecutive unexcused or fifteen (15) unexcused absences in a year pursuant to West Virginia Code § 18-8-11. Also, a student must earn five credits annually (three of the five credits must be from the core requirements identified in West Virginia Board of Education Policy 2510). In order to obtain a Driver Eligibility Certificate a student may not be suspended or expelled for any of 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 regardless of the time or place of the action; b) possessing deadly weapons; c) sale of a narcotic drug; d) committing an act or engaging in conduct that would constitute a felony under either federal law or the West Virginia Code if committed by an adult; 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. The foregoing are reasons to deny a driver eligibility certificate

or to revoke a driver's license. Expulsion or suspension shall not be considered a circumstance beyond the control of the student. Relating to attendance, a semester of satisfactory school attendance, not to exceed five (5) consecutive or ten (10) total unexcused absences, shall be required for reinstatement of a revoked license. Academic progress will be reviewed at the end of each school year and school behavior shall be reviewed after all disciplinary suspension or expulsions have been served. All forms require the signature of the principal and the County Attendance Director. Students who are on homebound for medical reasons should submit a physician's statement indicating that the student's condition does not impair the student's driving ability. For the purposes of this section and pursuant to W.Va. Code §18-8-11, withdrawal is defined as more than ten consecutive, or fifteen days total, unexcused absences during a school year. 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 person. If suspended, the West Virginia Division of Motor Vehicles may not reinstate a license before the end of the semester following that in which the withdrawal occurred. Excuses for absences must be turned in to the attendance clerk within five days of student's return. Any excuse(s) turned in after the allotted time will not be accepted for driver's eligibility approval.

**19.21**      **County Attendance Report** – The attendance director shall file with the county superintendent and county board of education, at the close of each month, a report showing activities of the school attendance office and status of attendance in the county at the time due to provisions in W.VA. Code § 18-8-4.

**19.22**      **Severability** – 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.

**19.23**      **Policy Development** – The Kanawha County Schools Attendance Policy has been developed by a committee which included the county attendance director, an assistant attendance director, principals, assistant principals, teachers, counselors, student affairs/alternative schools director, parents community leader, community agency case manager, and attorney. An annual attendance review/evaluation will be conducted to determine the effectiveness of this policy. Comparative data collected for current and preceding year will be reviewed to determine increased/decreased levels of attendance for each

school. Each revision of the county attendance policy shall be submitted to the WVDE for approval.

## **KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

### **Home/Hospital Instruction**

**Series: I30A**

**Reference:**

**Issued: 12.19.1994**

**Revised: 05.17.2012**

**Revision Number: 1**

**30.01 General.** The purpose of this administrative regulation is to establish procedures that are calculated to provide quality and continuity of instruction to students who are eligible for home/hospital instruction.

**30.02 Administration.** The Office of Exceptional Students shall be responsible for assignment of qualified teachers to provide home/hospital instruction to eligible students.

**30.03 Assignment Procedure.** a. Students, who due to injury or for any other reason as certified in writing by a licensed physician or other licensed health care provider, are temporarily confined to home or hospital for a period that has lasted or will last more than three consecutive weeks shall receive home/hospital services. The written statement must include

A. the specific reasons the student must remain at home or in the hospital; and

B. the criteria or conditions under which the student can return to school, and the expected date of such return.

b. A written statement by a licensed physician or other licensed health care provider must be resubmitted every six months if a student's temporary home/hospital instruction is prolonged.

c. Kanawha County Schools may require that the parent/guardian obtain an opinion from a second health care provider at the expense of KCS.

d. Home/hospital services must be designed to provide the student adequate opportunity to continue learning toward mastery of grade level content standards and objectives. The schedule for home/hospital services must include adequate instructional time and be provided at a location when a responsible adult in addition to the teacher is present.

e. Home/hospital teachers are responsible for facilitating instruction on the core courses' content standards and objectives as guided by the student's classroom teacher(s); consequently, the home/hospital teacher must be in regular contact with the classroom teacher(s) to

A. secure and understand units/lessons, instructional plans and instructional materials, and

B. establish procedures for the collection and return of student work to the classroom teacher(s) for assessment. The student's home school shall be responsible for providing the student's progress reports/report cards in the same manner as provided to other students.

f. 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. 125CSR16, WVBE Policy 2419, Regulations for the Education of Exceptional Students (hereinafter 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 Policy 2419.

**30.04 Home-Based Programs for Disruptive Students.** – Kanawha County Schools may provide home-based programs for students expelled under the Productive and Safe Schools Act (W.Va. Code 18A-5-1a) or for disruptive students pursuant to the provisions of West Virginia Board of Education Policy 2418, as determined by KCS Student Assistance Team.

**30.05 Other Provisions related to Home-Bound Students.** The principal or his or her designee will ensure that all students, who are receiving Homebound Instruction, are provided with appropriate notices regarding school pictures, ( including individual and group pictures), school trips, the yearbook, and information concerning senior graduation events in a timely manner. The school may require a statement from the student's health care provider prior to permitting the student to participate in these



activities. If the student is being provided homebound instruction for disciplinary reasons, the school may limit the student's ability to participate in these activities.

**30.06 Contract.** Each teacher who provides home/hospital instruction shall first enter into a written contract with the board. Such contracts shall include continuation of instruction clause that will require that home/hospital instruction be continued for the duration of the disability not to extend beyond the then current school year.

## **CODE OF CONDUCT**

### **INTRODUCTION**

Schools are not only charged with the responsibility of providing instruction in the area of academics, but are also expected to prepare students to be successful in a society governed by rules and moral responsibilities. Our first duty is to challenge students with high standards and expectations. A positive approach which emphasizes the benefits of good citizenship should be followed.

However, the duty of schools to provide safe, orderly environments where learning may be achieved also requires that certain minimum standards of conduct be clearly communicated to the school community. There must be a knowing appreciation that real consequences attend both poor judgment and intentional acts of misconduct.

It is the objective of the policy to achieve the following goals: the right of every student to attend school free from fear for personal safety; the prevention of disturbances or interruptions of the educational process; the responsibility of teachers to assist in preserving an orderly learning environment; and, the responsibility of parents in maintaining an atmosphere conducive to learning.

Each school shall maintain and publish a code of conduct which shall include a schedule of offenses, penalties and a description of due process rights and procedures. The Code of Conduct shall also incorporate the productive and safe schools plan developed by the Local School Improvement Council. A copy of the code of conduct shall be posted in each school in a prominent place.

At the commencement of each school year all students and their parents shall be provided with copies of a school's code of conduct. Students who transfer into a school during the course of a school year and their parents shall also be provided with copies of a school's code of conduct. Each year students shall be required to sign a statement acknowledging that they have read the code of conduct or have had it read to them and that they understand the code of conduct.

### **AUTHORITY OF TEACHERS**

(West Virginia State Code 18A-5-1)

The teacher shall stand in the place of the parent or guardian in exercising authority over the school, and shall have control of all pupils enrolled in the school from the time they reach the school until they have returned to their respective homes, except that where transportation of pupils is provided, the driver in charge of the school bus or other mode of transportation shall exercise such authority and control over the children while they are in transit to and from the school.

### **WHEN AND WHERE THE SCHOOL'S CODE OF CONDUCT APPLIES**

(See Kanawha County Board of Education Policy, Series J25, Section 25.05)

All students shall be subject to the provisions of a code of conduct in the following circumstances:

- (a) While on property owned by Kanawha County Schools;
- (b) During time periods when a student is scheduled to attend school or other activities conducted under the auspices of Kanawha County Schools, regardless of whether a student is in actual attendance;
- (c) During any extracurricular activity or trip conducted under the auspices of Kanawha County Schools in which a student elects to participate;

- (d) While a student is in transit to or from school or an extracurricular activity, including transit on a school bus;
- (e) Offenses against employees of Kanawha County Schools, regardless of time or place;
- (f) Bomb threats involving Kanawha County Schools property, regardless of time or place; and,
- (g) The consumption of alcoholic beverages or controlled substances, in any amount, prior to any school related activity, regardless of place.
- (h) While the student is at any school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by the board of education, RESA or state department of education, or in another facility being used by any of those agencies.

## **OFFENSES AND PENALTIES**

(See Kanawha County Board of Education Policy, Series J25, Section 25.07)

Each school's code of conduct shall contain at least the offenses hereinafter set forth in this Section. Each school is authorized to include any additional offenses which are deemed appropriate for the orderly operation of a school and the health, safety and welfare of staff and students. Elementary schools may establish alternative codes of conduct. However, such alternative codes of conduct must specify offenses, corresponding maximum possible penalties and a description of due process rights and procedures. Except where otherwise indicated, the penalties for each offense shall be determined on a case by case basis taking into account all facts and circumstances of a violation, including the past records of any students who are involved

25.01. **Scope.** – This rule sets the requirements for the conduct of students in Kanawha County Schools in order to assure a nurturing, orderly, safe, drug-free, violence- and harassment-free learning environment that supports student academic achievement and personal-social development. This Policy replaces the Student Behavior Policy adopted on June 16, 2011.

25.02. **Authority.** – W.Va. Constitution, Article XII, §2, and W.Va. Code §§16-9A-4, 16-9A-9, 17A-1-1, 18-2-5, 18-2-5a, 18-2-7b, 18-2-9, 18-2C-1 et seq., 18-2-33, 18-5-1, 18-5-13, 18-16-1, 18A-1-1, 18A-5-1, 18A-5-1a, 60A-1-101, 61-2-15, 61-7-2, 61-7-11a, 60A-7-11a; and West Virginia Board of Education Policy 4373.

25.03. **Purpose.** The Kanawha County Board of Education recognizes the need for students, teachers, administrators, and other school personnel to have a nurturing, orderly, safe, and stimulating educational environment. The purpose of these regulations is to provide Kanawha County Schools with a policy of student conduct that will ensure an orderly and safe environment that is conducive to learning. These regulations also require that Kanawha County Schools respond promptly and consistently to incidents of harassment, intimidation, bullying, substance abuse and/or violence or other Student Code of Conduct violations in a manner that effectively deters future incidents and affirms respect for individuals. Any form of harassment, intimidation, bullying, substance abuse, violence, or other policy violation is unacceptable in Kanawha County Schools.

25.04. **Student Code of Conduct.**

25.04.1. All students enrolled in Kanawha 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.

25.04.2. Students will help create an atmosphere free from bullying, intimidation and harassment.

25.04.3. Students will demonstrate honesty and trustworthiness.

25.04.4. Students will treat others with respect, deal peacefully with anger, use good manners and be considerate of the feelings of others.

25.04.5. Students will demonstrate responsibility, use self-control and be self-disciplined.

25.04.6. Students will demonstrate fairness, abide by the rules, and will not take advantage of others.

25.04.7. Students will demonstrate compassion and caring.

25.04.8. Students will demonstrate good citizenship by obeying laws and rules, respecting authority, and by cooperating with

others.

**25.04.9. 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.

**25.04.10. 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 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.

**25.04.11. 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.

**25.04.12. Extra-Curricular Activities.** Students must meet all state and local attendance requirements and maintain a 2.0 grade point average in order to participate in non-academic extra-curricular activities (e.g. interscholastic athletics such as football, basketball, track or wrestling; cheerleading; student government; class officers in grades 6-12). Eligibility is determined for each semester by a student's grade point average for the previous semester. Those students participating in a GED program whose grade point average for the last semester before entering into the program was below 2.0 grade point average may become eligible if they achieve a 2.0 average or better the mid-point of the second semester (the nine week point) in the same manner as students enrolled in the regular curriculum as outlined in WVBE Policy 2436.10.

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.

**25.04.13. Privacy.** Students have certain privacy rights regarding school records. To ensure this privacy, WVBE Policy 4350 – 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.

**25.04.14. 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. If a student is under 18 years of age, prior to permitting a student to be questioned by any law enforcement officer, other than a PRO, school personnel shall contact the student's parent/guardian and receive permission for the student to be questioned. 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.

**25.04.15. Child Abuse Prevention.** Students have the right to grow up without being physically or sexually abused at school, in the home or the community. W.Va Code §49-6A-2 requires teachers, counselors, nurses, or other professionals who suspect that a student is being abused to report the circumstances to the West Virginia Department of Health and Human Resources. 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.

**25.05. Application.**

**25.05.1.** All students shall be subject to the provisions of a code of conduct in the following circumstances:

**25.05.1.1.** While on property owned by Kanawha County Schools.

**25.05.1.2.** During time periods when a student is scheduled to attend school or other activities conducted under the auspices of Kanawha County Schools, regardless of whether a student is in actual attendance.

**25.05.1.3.** During any extracurricular activity or trip conducted under the auspices of Kanawha County Schools in which a student elects to participate.

**25.05.1.4.** While a student is in transit to or from school or an extracurricular activity, including transit on a school bus.

**25.05.1.5.** Offenses against employees of Kanawha County Schools, regardless of time or place.

**25.05.1.6.** Bomb threats involving Kanawha County Schools' property, regardless of time or place.

**25.05.1.7.** The consumption of alcoholic beverages or Substances, as defined herein, in any amount, prior to school or any

school related activity, regardless of place.

- 25.05.1.8. While the student is at any school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by the board of education, RESA or state department of education, or in another facility being used by any of those agencies.
- 25.05.2. Students who do not behave in a manner that promotes a nurturing, orderly, safe environment conducive to learning will be subject to the Levels of Response to Violations as outlined in Section 25.07 hereof.
- 25.05.3. This policy does not supersede any rights granted to special education students by Federal or State law or other West Virginia Board of Education policy.
- 25.05.4. While this policy deals primarily with student behaviors, consequences for the inappropriate behaviors of staff and/or public guests will be addressed through personnel procedures (for staff) and removal from school premises (for public guests).
- 25.06. **Planning.** To ensure understanding of the student code of conduct policy, Kanawha County Schools will develop and implement training at each grade level K-5, 6-8, and 9-12.
- 25.06.1. Discussions in classrooms and at grade level large group meetings will be held at the beginning of the school year to raise the awareness of the different types of Student of Conduct violations and how they are manifested, their devastating emotional and educational consequences, and their potential consequences.
- 25.06.2. Each student will sign an acknowledgement verifying participation in the Code of Conduct training.
- 25.06.3. New students enrolled in the county will be provided with the Code of Conduct information as part of the school's orientation. A copy of the policy will be sent home with each new student.
- 25.06.4. At the beginning of the school year the county's Code of Conduct will be printed in booklet form and distributed to homes in the county's newspapers and schools will send a copy home with each student.
- 25.06.5. Parents of students in grades K-5 and parents of students who are entering middle school or high school for the first time will be asked to sign an acknowledgement verifying receipt of the county's Code of Conduct. The acknowledgements will be returned to school and kept in the administrative office (either principal's, assistant principal's, or counselor's).
- 25.06.6. Multicultural educational programs will be developed and implemented for staff, faculty, and students in grades K-12 to foster an attitude of understanding and acceptance of all individuals.
- 25.06.7. Each local school administration shall be responsible to implement provisions of this policy with specific regard to education, communication and enforcement provisions.
- 25.06.8. Each school shall develop clear procedures for identification, intervention and referral of students with behavioral and substance abuse issues.
- 25.06.9. No school or board of education property or school or county publication may be used for the advertisement of any tobacco or alcohol product. In accordance with WVBE Policy 4321.1 - Standards for School Nutrition, each school should minimize marketing other foods and beverages in the high school setting by locating their distribution in low student traffic areas and by ensuring that the exterior of vending machines does not depict commercial logos of products or suggest that the consumption of vended items conveys a health or social benefit.
- 25.06.10. Groups using school facilities shall sign agreements with the county board of education agreeing to comply with the environmental safeguards set forth in this policy.
- 25.06.11. Students, parents and spectators will be informed by public address systems that this policy remains in force on evenings, weekends and any other time that school is not in session.
- 25.06.12. **Partnership Development:** Kanawha County Schools are encouraged to establish county agency and organization partnerships with the purpose of providing the county's schools with additional supports and resources to shape behaviors in safe and supportive schools. These partnerships may be both formal and informal.

At the district level, formal partnerships with community service agencies (i.e. law enforcement, behavioral healthcare providers) will be essential to successful implementation of this policy. Specific attention should be given to the

development of formal agreements and protocols that ensure coordination between agencies and high quality service delivery to students and their families. At the district level, memoranda of understanding and/or contracts are necessary whenever partner organization representatives interact with students on school property, during the school day or on behalf of the school system. These formal agreements should clearly articulate the types of student interaction that may occur, the roles and responsibilities of all parties involved, procedural operations and resource sharing (i.e. funding, space, staff, data).

At the district level, informal partnerships may be short or long-term commitments that may or may not require written agreements. These partnerships usually involve collaborative groups that form around common mission and goals (i.e., anti-drug coalitions, tobacco control coalitions) to coordinate events, initiatives, resource development/dissemination, service delivery, local partnership development and/or professional development. They do not require formal agency agreements.

- 25.06.13. **LSIC Discipline Reports.** Each LSIC shall develop and deliver a report (adhering to all applicable student privacy regulations) to the county superintendent (council on productive and safe schools) that includes:
- Guidelines for the instruction and delivery of interventions for students who have been excluded from the classroom, suspended from the school or expelled from the school. The guidelines shall include descriptions/recommendations for in-school programs with alternative settings and/or schedules, a system to provide effective communication and coordination between school and local emergency services agencies, preventive discipline strategies and student involvement strategies.
  - Findings from an examination of school discipline procedures including disciplinary measures used at the school along with a documented assessment of fairness and consistency of disciplinary actions.
  - The superintendent (or designee) shall respond to the LSIC in writing within 10 days of receiving the report
  - The county board shall retain and file all such correspondence for public review.
- 25.06.14. **School Access Safety Plans.** Kanawha County Schools shall submit to the School Building Authority (SBA) a school access safety plan or annual plan update that addresses the school access safety needs of each school facility in the county. The safety plan shall include at least the following:
- 25.06.14.1. A prescribed countywide inventory of each school facility's means of ingress to and egress from the school for students, school employees, parents, visitors and emergency personnel;
- 25.06.14.2. The recommendations and guidelines developed by the Countywide Council on Productive and Safe Schools together with the county board's assessment of the recommendations and guidelines;
- 25.06.14.3. Recommendations for effective communication and coordination between school facilities, local law-enforcement agencies and local emergency services agencies in the county;
- 25.06.14.4. An assessment of the current status of crime committed on school campuses and at school-related functions;
- 25.06.14.5. A projected school access safety repair and renovation schedule for all school facilities in the county;
- 25.06.14.6. A prioritized list of all projects contained in the plan, including the projected cost of each project;
- 25.06.14.7. A description of how the plan addresses the school access safety goals and guidelines established by the SBA and how each project furthers the county board's safety plan, facilities plan and school major improvement plan;
- 25.06.14.8. Notation of the funds available for allocation and disbursement to the county board from the School Access Safety Fund;
- 25.06.14.9. A description of any source of local funds that the county board intends to contribute to the safety projects, or an approved financial hardship waiver, to satisfy the local contribution requirements; and
- 25.06.14.10. Any other element considered appropriate by the SBA or required by other regulations.
- 25.06.15. **School Crisis Plans.** Each school shall create a comprehensive crisis response plan with necessary safeguards to protect information contained in each response plan that may be considered protected critical infrastructure information, law enforcement sensitive information or for official use only. The crisis response plans must be developed under the following requirements:
- 25.06.15.1. each school shall form a crisis response planning team consisting of the principal, two teachers, one service

person and two parents of children attending the school. The crisis response planning team may include one member of the county board, a school counselor, a member from local law-enforcement authorities, the local county emergency services director and one student in grade ten or higher if the school has those grades;

- 25.06.15.2. each school, through the school's crisis response planning team, shall develop a school specific crisis response plan using the state/county template and with consultation from local social services agencies, local first response agencies including police, fire, emergency medical services (EMS), emergency management and any other local entities that the school's crisis response planning team determines should be consulted;
- 25.06.15.3. each school's specific crisis response plan shall be in place and filed with the county board and included in a secure electronic system identified by the Division of Homeland Security and Emergency Management no later than August 1, 2013, or soon after completion by the school, whichever occurs first;
- 25.06.15.4. each school's crisis response planning team shall annually review its crisis response plan and shall update the plan according to procedures developed by the state no later than August 1 of each year after 2013;
- 25.06.15.5. each school shall make a redacted copy of its school crisis response plan available, upon request, for inspection by the public with any information removed that is necessary for compliance with the necessary safeguards developed by the state. Starting with the 2013-2014 school year, each school shall annually send notice home to all parents and guardians of students at the school alerting the parents and guardians to the existence of the crisis response plan and the ability to review a redacted copy at the offices of the county board;
- 25.06.15.6. each school crisis plan shall include at least the following:
- the school employee in charge during a crisis and a designated substitute;
  - a communication plan to be used during a crisis;
  - protocols for responding to immediate physical harm of students, faculty or staff and to traumatic events, including the period after the events have concluded;
  - disaster and emergency procedures to respond to earthquakes, fire, flood, other natural disasters, explosions or other events or conditions in which death or serious injury is likely;
  - crisis procedures for safe entrance to and exit from the school by students, parents, and employees, including an evacuation and lock down plan; and
  - policies for enforcing school discipline and maintaining a safe and orderly environment during the crisis.

**25.07. Violations of the Student Code of Conduct.**

25.07.1. This policy classifies student violations of the Student Code of Conduct in four levels. W.Va. Code requires that the principal suspend a student who commits a violation classified as a Level IV in this policy. Level III and IV violations are to be referred directly to the appropriate administrator because of the serious and/or unlawful nature of the misconduct. All violations of this policy shall be reported to the principal of the school or his or her designee (assistant principal). Upon receipt of the student discipline report and after such investigation and due process as may be required under the circumstances, the principal or his or her designee will determine the level of violation and the school's response. The principal or designee shall promptly enter the required disciplinary data into the West Virginia Education Information System (WVEIS) in order to file the required information with the West Virginia Department of Education of all substantiated reports of all violations of the Student Code of Conduct

25.07.1.1. Level I Violations – Minimally Disruptive Behaviors – disrupt the educational process and the orderly operations of the school but do not post a direct danger to self or others.

25.07.1.1.1. Cell Phones and other electronic communication devices. The use of cell phone, pagers, "beepers", PDAs or similar electronic communication devices are not permitted during school from the beginning of the first instructional period through the end of the last instructional period. This includes between class periods, as well as on school-sponsored trips and "behind-the-wheel" driver education classes. "Using" refers to, not only the making and/or receiving of calls, but also using the device for any other purpose. Subject to appropriate school regulation, electronic communication devices may be used during lunch time. During the instructional day, electronic communication devices may be used, with administrative permission, for emergencies only. The use of electronic communication

devices while on school buses is strictly prohibited unless an emergency situation arises and students have permission from the bus driver. Electronic communication devices may be used if such devices are not capable of being used to communicate with any other device.

This prohibition is not intended to prohibit students from using electronic communication devices for curricular purposes under the direction and supervision of a teacher.

- 25.07.1.1.1.1. Electronic communication devices are to remain turned off during the times that students are not permitted to use the phones.
- 25.07.1.1.1.2. Electronic communication devices will not be used to take photographs or videos during the school day. Also, electronic communication devices will not be used to take photographs or videos of any type in the restrooms, locker rooms or other private areas at any time, or at any other time that causes a disruption at school.
- 25.07.1.1.1.3. Each school shall establish reasonable rules for the use of electronic communication devices by students participating in extracurricular activities and athletics. Such rules shall be provided to the students at the beginning of the school year.
- 25.07.1.1.1.4. Kanawha County Schools shall not be responsible for lost, damaged or stolen cell phones or other electronic communication devices.
- 25.07.1.1.1.5. Any use of electronic devices during the instructional school day, in violation of this policy, without permission of a teacher for curricular purposes or the administrative staff shall be considered a disciplinary violation. In addition to the penalties otherwise imposed by this policy the following penalties apply to electronic communication device misuse.
  - 25.07.1.1.1.5.1. The first electronic device infraction shall result in the confiscation of the device. Once the device is confiscated it will only be returned to a parent or guardian after a conference.
  - 25.07.1.1.1.5.2. The second infraction shall result in confiscation of the device, a parent or guardian conference, and termination of the right to carry an electronic communication device for the rest of the school year.
  - 25.07.1.1.1.5.3. Any third or subsequent violation of this policy may also, at the principal's discretion, result in additional disciplinary action for habitual or willful disobedience of school rules in accordance with the provisions of this policy.
  - 25.07.1.1.1.5.4. Any student who uses a cell phone, other technological or electronic device for any illegal purpose or to violate any Kanawha County Schools policy will be prohibited from having an electronic communication device at school.
- 25.07.1.1.2. Cheating/Academic Misconduct. A student will not plagiarize or copy the work of others or break rules to gain advantage in a competitive situation. A student will not cheat, gain unauthorized access to, or tamper with educational materials, including, without limitation, cheating through the use of a technological or electronic device. The response to violations under this section may include academic sanctions in addition to other discipline. The academic sanctions may be used to deny credit for the work resulting from cheating; however, previously earned grades or credits may not be reduced.
- 25.07.1.1.3. Deceit. A student will not deliberately conceal or misrepresent the truth, deceive another or cause another to be deceived by false or misleading statements.
- 25.07.1.1.4. 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.
- 25.07.1.1.5. Failure to Serve Detention. A student will not fail to serve an assigned detention of which students and/or parents/guardian have been notified. Any third or subsequent failure to serve a detention may also, at the principal's discretion, result in additional disciplinary action for habitual or willful disobedience of school rules in accordance with the provisions of this policy.
- 25.07.1.1.6. 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.
- 25.07.1.1.7. 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. See Kanawha County Board of Education Policy Series J36, "Student Dress Policy."

25.07.1.1.8. Inappropriate Displays of Affection. Students will not engage in inappropriate displays of affection, such as kissing or embraces of an intimate nature.

25.07.1.1.9. 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).

25.07.1.1.10. 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.

25.07.1.1.11. Skipping Classes. 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. West Virginia Code §18A-5-1 (d) prohibits the use of suspension solely for not attending class.

25.07.1.1.12. Tardiness. A student will not fail to be in his/her place of instruction at the assigned time without a valid excuse. West Virginia Code §18A-5-1 (d) prohibits the use of suspension solely for not attending class.

25.07.1.1.13. Vehicle Parking Violation. A student will not engage in improper parking of a motor vehicle on school property.

25.07.1.2. School Responses to Level I Violations.

25.07.1.2.1. School administrators and staff may use appropriate intervention strategies including, but not limited to, staff and student/parent conferences, auxiliary staff intervention and counseling programs, student programs for conflict resolution and peer mediation, and programs for anger management and violence prevention.

25.07.1.2.2. Any of the following intervention strategies and disciplinary actions may be used as appropriate in response to the violation:

25.07.1.2.2.1. Interventions:

25.07.1.2.2.1.1. Administrator/student conference or reprimand

25.07.1.2.2.1.2. Administrator and teacher-parent/guardian conference

25.07.1.2.2.1.3. Referrals and conference to support staff or agencies for counseling or other therapeutic services

25.07.1.2.2.1.4. Daily/weekly progress reports

25.07.1.2.2.1.5. Behavioral contracts. Behavior contracts must be developed for the particular student, identifying the offending conduct and specifically addressing the desired outcome.

25.07.1.2.2.1.6. Change in the student's class schedule

25.07.1.2.2.1.7. School service assignment

25.07.1.2.2.2. Disciplinary Actions:

25.07.1.2.2.2.1. Confiscation of inappropriate item

25.07.1.2.2.2.2. Revocation of privileges

25.07.1.2.2.2.3. Restitution/restoration

25.07.1.2.2.2.4. Before and/or after-school detention. Periods of detention shall not exceed 30 minutes per school day for elementary students or 60 minutes per school day for secondary students. If a student is to be detained beyond the normal school day, the parent or parents or custodial guardian shall be notified in advance. Students shall not be required to miss bus transportation. Detention shall not be imposed in a manner that deprives a student of lunch.

- 25.07.1.2.2.2.5. Denial of participation in class and/or school activities, such as field trips, prom, graduation ceremonies, etc.
- 25.07.1.2.2.2.6. Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion (see West Virginia Code §18A-5-1)
- 25.07.1.2.2.2.7. Voluntary Weekend detention or Saturday school, in lieu of out-of –school suspension
- 25.07.1.2.2.2.8. In-school suspension. In the event a student is given in-school suspension, such student shall not be permitted to participate in extracurricular activities, including, without limitation, athletic events, on any day which the student is assigned in-school suspension. This also includes weekends if the in-school suspension continues from Friday to Monday.
- 25.07.1.2.2.2.9. Out-of-school suspension for a maximum of three days.
- 25.07.1.2.2.2.10. Law enforcement notification
- 25.07.1.3. Level II Violations. Disruptive and Potentially Harmful Behaviors – disrupt the educational process and/or pose potential harm or danger to self 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.
- 25.07.1.3.1. 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 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.
- 25.07.1.3.2. Habitual Violation of School Rules or Policies. A student will not habitually violate school rules or policies. As used herein, habitual violation means three or more violations of school rules or policies within the same school year, which have resulted in the student being suspended for ten or more days cumulatively, and which have been documented to the student and the parent/guardian.
- 25.07.1.3.3. 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.
- 25.07.1.3.4. 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.
- 25.07.1.3.5. 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.
- 25.07.1.3.6. Possession of Imitation Weapon. A student will not possess any object fashioned to imitate or look like a weapon, or any item which by virtue of its shape or design gives the appearance of any deadly weapon (e.g., fake or toy knives or guns, fake bombs, fireworks fuse, explosive devices, detonators, etc.).
- 25.07.1.3.7. Possession of Knife not meeting Dangerous Weapon Definition. 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.
- 25.07.1.3.8. Profane Language/Obscene Gesture/Indecent Act Toward an Employee or 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.

25.07.1.3.9. **Technology Misuse.** A student will not violate the terms of WVBE Policy 2460, Safety and Acceptable Use of the Internet by Students and Educators or Kanawha County Schools Administrative Regulation J33A "Student Telecommunications Network Access."

25.07.1.4. **School Responses to Level II Violations.**

25.07.1.4.1. Intervention strategies may include, but are not limited to, the following intervention strategies and disciplinary actions:

25.07.1.4.1.1. Interventions:

25.07.1.4.1.1.1. Administrator/student conference or reprimand

25.07.1.4.1.1.2. Administrator and teacher-parent/guardian conference

25.07.1.4.1.1.3. Referrals and conference to support staff or agencies for counseling or other therapeutic services

25.07.1.4.1.1.4. Daily/weekly progress reports

25.07.1.4.1.1.5. Behavioral contracts. Behavior contracts must be developed for the particular student, identifying the offending conduct and specifically addressing the desired outcome.

25.07.1.4.1.1.6. Change in the student's class schedule

25.07.1.4.1.1.7. School service assignment

25.07.1.4.1.2. Disciplinary Actions:

25.07.1.4.1.2.1. Confiscation of inappropriate item

25.07.1.4.1.2.2. Revocation of Privileges

25.07.1.4.1.2.3. Restitution/restoration

25.07.1.4.1.2.4. Before and/or after-school detention. Periods of detention shall not exceed 30 minutes per school day for elementary students or 60 minutes per school day for secondary students. If a student is to be detained beyond the normal school day, the parent or parents or custodial guardian shall be notified in advance. Students shall not be required to miss bus transportation. Detention shall not be imposed in a manner that deprives a student of lunch.

25.07.1.4.1.2.5. Denial of participation in class and/or school activities, such as field trips, prom, graduation ceremonies, etc.

25.07.1.4.1.2.6. Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion (see West Virginia Code §18A-5-1)

25.07.1.4.1.2.7. Voluntary weekend detention or Saturday school, in lieu of out-of-school suspension

25.07.1.4.1.2.8. In-school suspension. In the event a student is given in-school suspension, such student shall not be permitted to participate in extracurricular activities, including, without limitation, athletic events, on any day which the student is assigned in-school suspension. This also includes weekends if the in-school suspension continues from Friday to Monday.

25.07.1.4.1.2.9. Out-of-School Suspension with a recommended maximum of five (5) days.

25.07.1.4.1.2.10. Recommended placement in an Alternative Education program.

25.07.1.4.1.2.11. Expulsion.

25.07.1.4.1.2.12. Law enforcement notification.

- 25.07.1.5. Level III Violations. Imminently Dangerous, Illegal and/or Aggressive Behaviors – are willfully committed and are known to be illegal and/or harmful to people or property. Violations in the Level III category shall be reported immediately to the principal of the school in which the student is enrolled. The principal will address the violation following the procedures outlined in W.Va. Code §18A-5-1a, subsections (b) through (h).
- 25.07.1.5.1. Battery against a Student. A student will not unlawfully and intentionally injure another student.
- 25.07.1.5.2. 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.
- 25.07.1.5.3. False Fire Alarm. A student will not knowingly and willingly set off a fire alarm without cause.
- 25.07.1.5.4. 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.
- 25.07.1.5.5. 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.
- 25.07.1.5.6. 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.
- 25.07.1.5.7. 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.
- 25.07.1.5.8. Larceny. A student will not, without permission, take another person’s property nor 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.
- 25.07.1.5.9. Sexting. A student will not produce or share sexually explicit photos, videos, e-mail, text or chat by cell phone or other electronic device. This may include activity occurring outside of normal school times and locations if such activity has the effect of disrupting the educational process in the school.
- 25.07.1.5.10. 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.
- 25.07.1.5.11. Threat of Injury/Assault Against an Employee or Student. A student will not threaten (verbal or written) or attempt to injure another student, teacher, administrator or other school personnel. This includes posting material on the internet or social networking sites, i.e., Facebook, MySpace, etc., which has the effect of disrupting the educational process in the school or causes embarrassment, discomfort, or a reluctance to participate in school activities.. [This includes assault on a school employee defined in West Virginia Code §61-2-15].
- 25.07.1.5.12. Trespassing. A student will not enter upon the premises of the county school system property without authorization from proper school authorities.
- 25.07.1.5.13. 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: 1) 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; 2) is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or emotionally abusive educational environment for a student; or 3) 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. This includes posting material on the internet or social networking sites, i.e., Facebook, MySpace, etc., which has the effect of disrupting the educational process in the school or causes embarrassment, discomfort, or a reluctance to participate in school activities.

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.

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.
- 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.

**25.07.1.5.14. Imitation Drugs: Possession, Use Distribution or Sale.** 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. See Section 25.07.1.7.3.1 for consequences of this violation.

**25.07.1.5.15. Inhalant Abuse.** 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. See Section 25.07.1.7.3.1 for consequences of this violation.

**25.07.1.5.16. Possession/Use of Substances 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 Kanawha County Schools, including all activities or events sponsored by Kanawha County Schools.

In addition to the penalties set forth below, the following penalties shall be applicable to a violation of the tobacco policy:

**1st Offense** – Confiscation of tobacco products (includes smokeless and smoking paraphernalia); Mandatory conference with parent/guardian; signing of contract by parent/student and school administration; mandatory attendance at smoking education class provided by the school nurse. The school nurse will provide an age appropriate tobacco education program for students who violate this policy. Failure to fulfill the above requirements may result in an up to 3 day out of school suspension. Other Level I actions may be taken at the principal's discretion.

**2nd Offense** – Confiscation of tobacco products and smoking paraphernalia; referral to alternative learning center or detention, if available; up to 3 day out of school suspension, if possession or actual use of tobacco products has been determined; mandatory conference with the parent/guardian. Police report filed pursuant to W. Va. Code §16-9A-3. Referral to school nurse for the purpose of discussing possible cessation opportunities.

**3rd Offense** – Confiscation of tobacco products and smoking paraphernalia; up to 5 day out of school suspension or referral to Alternative Learning Center. Police report filed pursuant to W. Va. Code §16-9A-3.

**4<sup>th</sup> and subsequent Offense** – Confiscation of tobacco products and smoking paraphernalia; up to 10 days Out-of-School suspension, or, in the alternative, referral to alternative learning center, if available. Police report filed

pursuant to W. Va. Code §16-9A-3.

- 25.07.1.6. School Responses to Level III Violations. Level III 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.
- 25.07.1.6.1. Administrator/student conference or reprimand
- 25.07.1.6.2. Administrator and teacher-parent/guardian conference
- 25.07.1.6.3. Referrals and conference to support staff or agencies for counseling or other therapeutic services
- 25.07.1.6.4. Daily/weekly progress reports
- 25.07.1.6.5. Behavioral contracts. Behavior contracts must be developed for the particular student, identifying the offending conduct and specifically addressing the desired outcome.
- 25.07.1.6.6. Change in the student's class schedule
- 25.07.1.6.7. School service assignment
- 25.07.1.6.8. Confiscation of inappropriate item
- 25.07.1.6.9. Revocation of Privileges
- 25.07.1.6.10. Restitution/restoration
- 25.07.1.6.11. Before and/or after-school detention. Periods of detention shall not exceed 30 minutes per school day for elementary students or 60 minutes per school day for secondary students. If a student is to be detained beyond the normal school day, the parent or parents or custodial guardian shall be notified in advance. Students shall not be required to miss bus transportation. Detention shall not be imposed in a manner that deprives a student of lunch.
- 25.07.1.6.12. Denial of participation in class and/or school activities, such as field trips, prom, graduation ceremonies, etc.
- 25.07.1.6.13. Immediate exclusion by teacher from the classroom with a recommended duration of one period/subject of the school day for the first exclusion (see West Virginia Code §18A-5-1)
- 25.07.1.6.14. Voluntary weekend detention or Saturday school, in lieu of out-of-school suspension
- 25.07.1.6.15. In-school suspension. In the event a student is given in-school suspension, such student shall not be permitted to participate in extracurricular activities, including, without limitation, athletic events, on any day which the student is assigned in-school suspension. This also includes weekends if the in-school suspension continues from Friday to Monday.
- 25.07.1.6.16. Out-of-School Suspension for up to ten (10) days.
- 25.07.1.6.17. Recommended placement in an Alternative Education program.
- 25.07.1.6.18. Expulsion.
- 25.07.1.6.19. Law enforcement notification.
- 25.07.1.7. Level IV Violations. Violations in the Level IV category are consistent with those addressed in W. Va. Code §18A-5-1(a) and (b). Level IV violations in this policy are aligned with definitions in W. Va. Code §§61-6-17, 61-6-24 and 18A-5-1, and in the Gun-Free Schools Act of 1994 (the reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA)), Public Law 103-382, and require that the principal of the school in which the student is enrolled shall address the violation following the procedures outlined in W.Va. Code §18A-5-1a (a) and (b).
- 25.07.1.7.1. 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 W.Va. Code §61-2-15(b). This includes actions which may occur outside of regular school times and locations.

- 25.07.1.7.2. **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 W.Va. Code §18A-5-1a(b)(i). Such acts that would constitute a felony include, but are not limited to, arson (W.Va. Code §61-3-1), malicious wounding or unlawful wounding (W.Va. Code §61-2-9), bomb threat (W.Va. Code §61-6-17), sexual assault (W.Va. Code §61-8B-3), terrorist act or false information about a terrorist act, hoax terrorist act (W.Va. Code §61-6-24), burglary (W.Va. Code §61-3-11), robbery (W.Va. Code §61-2-12), and grand larceny (W.Va. Code §61-3-13).
- 25.07.1.7.3. **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 Kanawha County Schools, including all activities or events sponsored by Kanawha County Schools. This includes violations of WVBE Policy 2422.8 - Medication Administration, instances of prescription drug abuse, and the possession, use, being under the influence, distribution or sell of any substance that have known mind altering or function-altering effects upon the human body or that impair one's ability to safely perform his or her activities, specifically including, but not limited to, prescriptions drugs and over-the-counter medications; alcohol, drugs, and other substances made illegal under federal or state law; "synthetic or designer" drugs.
- 25.07.1.7.3.1. In addition to the penalties set forth below, if a student has possession of, uses, is under the influence of or distributes a substance described in the preceding paragraph, including, but not limited to alcohol, imitation drugs or inhalants, or possesses a drug device the following penalties shall apply: (A principal may request enhanced penalties if there are aggravating circumstances associated with the substance or alcohol possession or distribution.)
- 25.07.1.7.3.1.1. **1st Offense for use, possession or being under influence –** Confiscation of the substances, drug devices or alcohol; Suspension (10 days Mandatory); Completion of drug program approved by KCS (Mandatory); Criminal charges filed; Drug counseling by school psychologist
- 25.07.1.7.3.1.2. **2nd Offense for use, possession or being under influence or 1st Offense for distribution –** Confiscation of the substances, drug devices or alcohol; Suspension (10 days Mandatory); Criminal charges filed; Recommended transfer to an alternative school for placement for remainder of current semester and the next succeeding semester; a petition for reinstatement to the home school may be made to the Superintendent after the student has attended at least eighteen (18) weeks in the alternative school. Petitioning does not guarantee an early return.
- 25.07.1.7.3.1.3. **3rd and subsequent Offense for use, possession or being under the influence or 2<sup>nd</sup> and subsequent offense for distribution –** Expulsion and filing criminal charges. (Mandatory)
- 25.07.1.7.4. **Possession of a firearm or deadly weapon.** According to W.Va. Code §18A-5-1a(a), a student will not possess a firearm or deadly weapon as defined in W.Va. Code §61-7-2, on any school bus as defined in W.Va. Code §17A-1-1, or in or on any public or private primary or secondary education building, structure, facility or grounds thereof, including any vocational education building, structure, facility or grounds thereof, or at any school-sponsored function as defined in W.Va. Code §61-7-11a. Notice of disciplinary action involving a firearm violation must be submitted by a principal within 72 hours of a violation.
- 25.07.1.7.4.1. As defined in W.Va. Code §61-7-2, a "deadly 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. Deadly weapons include, but are not limited to, blackjack, gravity knife, knife, switchblade knife, nunchuka, metallic or false knuckles, pistol, or revolver. The term deadly weapon also includes explosive, chemical, biological or radiological materials. A deadly weapon may also include the use of a legitimate tool, instrument, or equipment as a weapon including, but not limited to, pens, pencils, compasses, or combs, with the intent to harm another.
- 25.07.1.7.4.2. For purposes of this policy deadly weapon also includes any instrument which is designed to be used to produce serious bodily injury or death, or is readily adaptable to such use. Examples of such weapons include, but are not limited to blank pistol, signal pistol, starter pistol, stun-gun or other device designed to produce an electrical shock, pellet gun, or BB gun; any razor (e.g., straight, regular, retractable, etc.); any defensive device (e.g., gas repellent, mace, stun-gun chemical sprays, etc.); chains, club, nightstick, rings, pipe, studded or pointed bracelets, ax handles, bullets, ammunition of any type, fireworks of any type and size, smoke bomb, stink bomb, any type of homemade bomb.
- 25.07.1.7.5. **Sale of a narcotic drug.** According to W.Va. Code §18A-5-1a, a student will not sell a narcotic drug, as defined in W.Va. Code §60A-1-101, on the premises of an educational facility, at a school-sponsored function or on a school



bus.

- 25.07.1.8. School/County Responses to Level IV Violations.** Level IV violations in this policy are those violations addressed in W.Va. Code §18A-5-1a that require the mandatory suspension of the student by the principal from school, or from transportation to or from the school on any school bus, after an informal hearing pursuant to subsection (d) of W.Va. Code §18A-5-1a.
- 25.07.1.8.1.** If a student has been suspended for battery on a school employee, possession of a deadly weapon or sale of a narcotic drug pursuant to W.Va. Code §18A-5-1a, the principal shall, within twenty-four hours, request that the Superintendent recommend that the student be expelled. For other Level IV violations the principal must suspend the student and may request the Superintendent to recommend that the student be expelled.
- 25.07.1.8.2.** Upon receipt of a recommendation that a student be suspended for a period of time in excess of ten school days or expelled, notice of a hearing shall be served upon the student and the student's parent(s), guardian(s) or custodian(s). Such hearings shall conform to relevant constitutional and statutory requirements and shall be scheduled within the ten-day period of suspension imposed by the principal following the informal hearing.
- 25.07.1.8.3.** Upon such recommendation to the board of education or a hearing examiner by the superintendent, the board of education or hearing examiner shall conduct a hearing in accordance with W.Va. Code §18A-5-1a subsections (e), (f), and (g), to determine if the student committed the alleged violation. If the board of education or the hearing examiner finds that the student did commit the alleged violation, the student shall be expelled.
- 25.07.1.8.4.** Students may be expelled pursuant to W.Va. Code §18A-5-1a for a period of either not less than twelve consecutive months or not to exceed one school year, depending on the violation; provided that a county superintendent may lessen the mandatory twelve month period of expulsion if the circumstances of the pupil's case demonstrably warrant such a reduction following the guidelines provided in W.Va. Code §18A-5-1a (i).
- 25.07.1.8.5. Hearing Examiner's Report.** If the Board elects to employ a hearing examiner, as authorized by W. Va. Code §18a-5-1b, the hearing examiner shall also receive evidence that may be relevant to the Superintendent's authority to reduce any period of suspension or expulsion or to provide an alternative education during the period of suspension or expulsion. If warranted, the hearing examiner shall make findings relevant to such evidence. Either the parents or the Superintendent may appeal the Hearing Examiner's report to the Board of Education, within ten days from receipt of such report. In the event of such an appeal, the Board of Education will review the record of the hearing and make a decision within ten days from receiving the record.
- 25.07.1.8.6.** The Superintendent may attempt to establish the student as a "dangerous student" as defined in W.Va. Code §18A-5-1a, at a hearing to determine the expulsion of the student. In the notice to the parent/guardian, the Superintendent shall state clearly whether the Superintendent will attempt to establish the student as a "dangerous student" and will include any evidence to support his claim in this notice of the hearing date and time.
- 25.07.1.8.7.** W. Va. Code §18A-5-1a defines a "dangerous student" as a student who is substantially likely to cause serious bodily injury to himself, herself or another individual within that student's educational environment, which may include any alternative education environment as West Virginia Board of Education Policy 2418, W.Va. §126CSR20 (Alternative Education Programs for Disruptive Students), as evidenced by a pattern or series of violent behavior exhibited by the student, and documented in writing by the school, with the documentation provided to the student and parent or guardian at the time of any offense.
- 25.07.1.8.8.** If the board of education or hearing examiner finds that the student is a dangerous student, such student may not be provided alternative education pursuant to the conditions outlined in W.Va. Code §18A-5-1a, but must re-evaluate this decision at least every three months.
- 25.07.1.8.9.** With regard to students with disabilities, nothing in this policy may be construed to be in conflict with the federal provisions of the Individuals with Disabilities Education Act IDEA Amendments of 1997 (Public Law 104-17), or with West Virginia Board of Education Policy 2419, W.Va. §126CSR16 (Regulations for the Education of Exceptional Students).
- 25.08. Guidelines for Suspension and Expulsion.**
- 25.08.1.** Suspension is considered a temporary solution to a violation of the Student Code of Conduct 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. 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. A student is entitled to an informal hearing when faced with a 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 the student should not be suspended. However, a student whose conduct is detrimental to the progress and general conduct of the school may be suspended immediately and a hearing held as soon as practical after the suspension. A student may not participate in any school-sponsored activities, or be permitted on school grounds during the period of suspension without permission of school officials. Other procedures the school must follow when dealing with suspensions are outlined in W.Va. Code §18A-5-1 and §18A-5-1a. Under no circumstances may a student be suspended for more than ten consecutive school days without having the opportunity for a formal hearing as described in W. Va. Code §18A-5-1a(f)

- 25.08.2. Any suspension shall be reported in writing to the parent(s), guardian(s), or custodian(s) of the student, by regular United States mail, and to the Superintendent on the same day the suspension is decided upon, and the Faculty Senate at the next meeting after the suspension.
- 25.08.3. A suspension of more than ten (10) days requires a formal hearing before the board of education of education or a hearing examiner. Procedures the school and county must follow when dealing with suspensions of more than ten (10) days are outlined in W.Va. Code §18A-5-1 and §18A-5-1a.
- 25.08.4. In the event the principal intends to recommend to the Superintendent that a student be expelled, the principal should make that recommendation to the Superintendent within 24 hours from the time the incident occurs.
- 25.08.5. The Superintendent, upon recommendation by the principal, may recommend that the board of education or hearing examiner 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 board of education agrees to act upon recommendations to expel a student from school. These procedures are outlined in W.Va. Code §18A-5-1 and §18A-5-1a.
- 25.08.6. W.Va. Code §18A-5-1 and §18A-5-1a require mandatory suspension by the principal and mandatory expulsion for a period of not less than twelve (12) consecutive months by the board of education of education for: possession of a deadly weapon, assault of a school employee, or sale of a narcotic drug. Procedures that must be followed when dealing with an expulsion are outlined in W.Va. Code §18A-5-1 and §18A-5-1a.
- 25.08.7. According to W.Va. Code §18A-5-1, a teacher or bus driver may exclude from a classroom or bus any student who: is guilty of disorderly conduct; interferes with an orderly education process; threatens, abuses, intimidates or attempts to intimidate a school employee or student; willfully disobeys a school employee; or uses profane or abusive language toward a school employee. Once a student is excluded from the classroom or bus, the student must be referred to the principal who will take disciplinary action, notify the parent/guardian in writing of the disciplinary action taken, and provide a copy to the teacher or bus driver before the student is readmitted to class or to the bus.
- 25.08.8. In the event a student has been suspended for twenty days or more, cumulatively, during any school year, the principal will refer the student to the County Student Assistance Team to review the student's disciplinary history and any interventions and strategies employed and to suggest any additional interventions and strategies designed to assist the student in becoming more successful at school. For a student in grades pre-K - 5, the above described review will be provided by the Director of Elementary Schools.
- 25.08.9. 25.35 Enrollment Affidavits. Upon the enrollment of any student (except students who are enrolling in a school for the first time) the student's parent, guardian or custodian must complete an affidavit indicating whether the student is under suspension or expulsion from another school district.
- 25.09. **School Bus Offenses.**
- 25.09.1. Conduct detrimental to proper operation of bus – It shall be a violation of the code of conduct to engage in behavior which is detrimental to the operation of a bus including, but not limited to: creation of excessive noise; use of profane language; sticking arms or heads out of bus windows; changing seats or standing while bus is in motion; failure to obey directives of school personnel; throwing objects; passing objects through windows; riding in step well or front row of seats; or use of emergency door in non-emergency situations. Maximum possible penalty: Denial of transportation privileges for the remainder of the school year.
- 25.09.2. Damage to bus – It shall be a violation of the code of conduct to damage or deface a school bus.
- 25.09.2.1. 1<sup>st</sup> Violation – Denial of transportation privileges pending restitution and conference with parent or custodial guardian.
- 25.09.2.2. 2<sup>nd</sup> Violation – Denial of transportation privileges for remainder of school; full restitution [Note: Parent or

custodial guardian will be held liable for damage to school bus within the limits of the law.]

25.09.3. Use of tobacco products – It shall be a violation of the code of conduct to use tobacco products on a school bus.

25.09.3.1. 1<sup>st</sup> Offense – Denial of transportation privileges pending conference with parent or custodial guardian.

25.09.3.2. 2<sup>nd</sup> Offense – Denial of transportation privileges for remainder of school year.

25.09.4. A student who as been identified as exceptional may not be denied bus transportation if transportation is included on such student's IEP or if the denial of transportation services would result in the denial of educational services, i.e., no alternative means of transportation is available.

25.10. **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:

25.10.1. hitting or striking a student on their physical person;

25.10.2. requiring physical activity as a punishment (this does not apply to physical activity within the structure and context of extracurricular activities);

25.10.3. use of noxious stimuli (e.g. pepper spray), denial of food or water or other negative physical actions to control behavior; and

25.10.4. 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.

25.11. **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:

25.11.1. Definitions:

25.11.1.1. Restraint - the use of physical force to significantly restrict the free movement of all or a portion of a student's body.

25.11.1.2. 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.

25.11.2. A school employee and/or independent contractor may use restraint in an emergency as defined above with the following limitations:

25.11.2.1. 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.

25.11.2.2. Restraint shall be discontinued at the point at which the emergency no longer exists.

25.11.2.3. Restraint shall be implemented in such a way as to protect the health and safety of the student and others.

25.11.2.4. Restraint shall not deprive the student of basic human necessities.

25.11.2.5. 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.

25.11.3. 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:

25.11.3.1. 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;

- 25.11.3.2. 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;
- 25.11.3.3. Training on use of restraint must include prevention and de-escalation techniques and provide alternatives to the use of restraint;
- 25.11.3.4. All trained personnel shall also receive instruction in current professionally accepted practices and standards regarding behavior interventions and supports;
- 25.11.4. 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:
- 25.11.4.1. Immediately following the use of restraint (within one hour) - The principal or designee must be provided verbal and written notification that restraint was used on a given student with a description of the restraint process used.
- 25.11.4.2. Same day - A good faith effort shall be made to verbally notify the parents/guardian regarding the use of restraint.
- 25.11.4.3. Within one school day - Written notification of the use of restraint must be placed in the mail or otherwise provided to the parent/guardian.
- 25.11.4.4. 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.
- 25.11.4.5. Written notification to the parents/guardian and documentation to the student official school record shall include the following:
- 25.11.4.5.1. Name of the student;
- 25.11.4.5.2. Name of the staff member(s) administering the restraint;
- 25.11.4.5.3. Date of the restraint and the time the restraint began and ended;
- 25.11.4.5.4. Location of the restraint;
- 25.11.4.5.5. 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
- 25.11.4.5.6. Documentation of all parental contact and notification efforts.

**25.12. Searches.**

- 25.12.1. Searches of Students. Under ordinary circumstances the search of a student by a teacher or other school official is permitted, if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or rules of the school. The extent of the search must be reasonably related to the objectives of a search and not excessively intrusive in light of the sex of the student and nature of the infraction. However, "strip searches" are not permitted under any circumstances. Any searches of students will be conducted in the presence of an adult witness. Any contraband property discovered as a result of a search may be confiscated.
- 25.12.2. Car Searches – A student's car, while on school property, is subject to search by a teacher or other school official if there are reasonable grounds to suspect that the search will turn up evidence that a student has violated or is violating either the law or rules of the school. Such searches will be conducted in the presence of an adult witness.
- 25.12.3. Locker Searches. A student's locker may be searched if there are reasonable grounds to suspect that the search will turn up evidence that a student has violated or is violating either the law or rules of the school. Such searches will be conducted in the presence of an adult witness. Furthermore, by accepting a locker a student shall be deemed to have consented to the periodic inspection thereof. The school principal shall retain keys to all lockers in order to affect such inspections.

25.12.4. **Canine Assisted Locker/Facility Inspections.** School principals are authorized to arrange for the use of canines that have been trained in the detection of unlawful drugs or explosives to assist in periodic inspections of student lockers, other school facility areas or grounds. Any unlawful drugs or explosives that are discovered as a result of a canine assisted inspection may serve as a basis for student disciplinary action under the terms of this policy. Only with the specific permission of the Superintendent may canines be used to conduct random searches of students.

25.13. **Cooperation 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. . If a student is under 18 years of age, prior to permitting a student to be questioned by any law enforcement officer, other than a PRO, school personnel shall contact the student's parent/guardian and receive permission for the student to be questioned. The police officer shall determine if and when the use of restraints is necessary to control an unruly student to prevent the student from harming him/herself or others.

#### 25.14. **Complaint Procedures.**

25.14.1. All violations of the Student Code of Conduct observed by school employees or by students must be reported to the principal or assistant principal for appropriate action to be taken as specified in this policy. Failure on the part of an employee to report a violation of this policy may be addressed by way of West Virginia Board of Education Policy 5310, W.Va. Code §126CSR142 (Performance Evaluation of School Personnel) or the evaluation of a service personnel. The Superintendent may also recommend such disciplinary action as may be deemed appropriate, up to and including termination, for failure by an employee to report and take appropriate action for violations of this policy.

25.14.2. Any person who believes he or she has been the victim of a Student Code of Conduct violation or any person with knowledge or belief of conduct which may constitute a violation of the Student Code of Conduct may report the alleged acts immediately to the principal or assistant principal. Nothing in this policy shall prevent any person from reporting violations directly to the county superintendent, as appropriate, to the West Virginia Human Rights Commission, or to a law enforcement agency.

#### 25.15. **Investigation Procedures.**

25.15.1. The principal or assistant principal, shall, upon receipt of a report or complaint, immediately undertake or authorize an investigation. The investigation may be conducted by school/school system officials.

25.15.2. The investigation must, at a minimum, consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and review of circumstances deemed pertinent by the investigator. When any student is to be interviewed in connection with an investigation pursuant to a Level IV violation, a reasonable effort shall be made to contact the student's parent, custodian, or guardian and invite them to be present during such interview, provided that such parental notification would not compromise the investigation or school/student safety. Parental notification is encouraged at Levels II and III and discretionary at Level I.

25.15.3. The principal shall immediately take such reasonable steps as necessary, to protect the complainant, students, teachers, administrators or other personnel pending completion of an investigation of an alleged policy violation.

25.15.4. The principal shall determine whether the alleged conduct constitutes a violation of this policy.

25.15.5. In determining the appropriate response and/or punishment for a Level I, II, or III violation, the principal and the superintendent 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. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

25.15.6. The investigation will be completed as soon as practicable but no later than ten school days following the reported violation, unless permission has been requested and granted by the West Virginia Department of Education to extend the investigation period. The principal shall make a written report upon completion of the investigation. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. If a student is suspended as a result of the investigation, the principal shall report the suspension to the Superintendent.

25.15.7. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant or his/her legal guardian by the principal.

25.15.8. 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 complaint 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.

25.16. **Action and Reporting.**

25.16.1. Upon receipt of a report substantiated by staff observation or by the investigation, the principal, and the superintendent will take appropriate action against those found to have violated this policy pursuant to W.Va. Code §18A-1-1 and §18A-5-1a.

25.16.2. The principal or superintendent shall also initiate such other action as is appropriate to ease tensions and to affirm the values of respect and understanding.

25.16.3. The principal, superintendent or designee shall immediately enter the required disciplinary data into the West Virginia Education Information System (WVEIS) in order to file the required information with the West Virginia Department of Education of all substantiated reports of all violations of the Student Code of Conduct.

25.17. **Reprisal.**

25.17.1. It shall be a violation of this policy for any student to retaliate against any person who is involved in any disciplinary action against any student. The principal shall take appropriate action such as in-school suspension, out of school suspension, referral to County SAT for possible placement in alternative school, or expulsion against any student who retaliates against any person who reports alleged violations or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

25.17.2. It shall also be a violation of this policy to file a false report concerning a violation of this policy. The principal will take appropriate action against any student, administrator or other school personnel who falsely reports violations of this policy.

25.18. **Right to Alternative Complaint Procedures.**

25.18.1. 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.

25.19. **Dissemination of Policy and Training.**

25.19.1. This policy or a summary shall be conspicuously posted throughout each county's/school's facilities in areas accessible to students and staff members such as classrooms, hallways, cafeteria, offices, gymnasiums, locker rooms and common areas.

25.19.2. This policy, or a summary, shall appear in the student handbook and if no handbook is available, a copy will be distributed by school personnel to all students, faculty, staff and parents. A copy of this policy may also be obtained through Kanawha County Schools' website.

25.19.3. When a student enters middle/junior high/high school for the first time, the student and his/her parent/guardian will be requested to sign and return a contract agreeing to abide by the stipulations in the policy and consequences associated with violations.

- 25.19.4. At the commencement of each school year all students and their parents shall be provided with copies of a school's code of conduct. Students who transfer into a school during the course of a school year and their parents shall also be provided with copies of a school's code of conduct. Each year students shall be required to sign a statement acknowledging that they have read the code of conduct or have had it read to them and that they understand the code of conduct and the consequences of a violation.
- 25.19.5. Training for students and staff on these regulations and on means for effectively promoting the goals of this policy will be developed and implemented. The implementation plan shall be developed collaboratively with input for all stakeholders, including, but not limited to, parents, business leaders, community organizations and state and local agencies. This will be accomplished through discussions in classrooms and at grade level large group meetings will be held at the beginning of the school year to raise the awareness of the different types of Student of Conduct violations and how they are manifested, their devastating emotional and educational consequences, and their potential consequences. Each student will sign an acknowledgement verifying participation in the Code of Conduct training. The Kanawha County Board of Education shall review this policy at least tri-annually for compliance with state and federal law and West Virginia Board of Education policy.

**STUDENT RECORD  
CONFIDENTIAL**

**Principal's Request to the  
Superintendent for a  
Recommendation that a Student**

\_\_\_\_\_ School

Student \_\_\_\_\_

Student WVEIS # \_\_\_\_\_

Special Education Yes \_\_\_ No \_\_\_

504 Yes \_\_\_ No \_\_\_

Parent, Guardian or Custodian \_\_\_\_\_

Address \_\_\_\_\_

Misconduct \_\_\_\_\_

Mandatory Principal's Request	<input type="checkbox"/> Battery on a school employee <input type="checkbox"/> Possession of a deadly weapon on school premises, school bus or school function <input type="checkbox"/> Sale of narcotic drug
Mandatory Suspension/ Discretionary Expulsion Request	<input type="checkbox"/> Act, if committed by an adult, would constitute a felony <input type="checkbox"/> Use, Possession or Being Under the Influence of Substances (3 <sup>rd</sup> offense possession or 2 <sup>nd</sup> offense distribution)
Discretionary Principal's Request	<input type="checkbox"/> Gang Related Activity <input type="checkbox"/> Insubordination <input type="checkbox"/> Leaving School Without Permission <input type="checkbox"/> Possession of Imitation Weapon <input type="checkbox"/> Possession of a Knife Under 3 ½" in length <input type="checkbox"/> Technology Misuse <input type="checkbox"/> False Fire Alarm <input type="checkbox"/> Fraud/Forgery <input type="checkbox"/> Gambling <input type="checkbox"/> Hazing <input type="checkbox"/> Trespassing <input type="checkbox"/> Sexual Misconduct <input type="checkbox"/> Use, Possession or Being Under the Influence of Alcohol on school premises, school bus or at a school function (3 <sup>rd</sup> offense possession or 2 <sup>nd</sup> offense distribution) <input type="checkbox"/> Imitation Drugs (3 <sup>rd</sup> offense possession or 2 <sup>nd</sup> offense distribution) <input type="checkbox"/> Inhalant Abuse (3 <sup>rd</sup> offense possession or 2 <sup>nd</sup> offense distribution) <input type="checkbox"/> Harassment/Bullying/Intimidation <input type="checkbox"/> Intentionally defaced school property <input type="checkbox"/> Willfully disobeyed a teacher <input type="checkbox"/> Use of profane language directed a pupil or school employee <input type="checkbox"/> Theft of property valued at less than \$999.99 <input type="checkbox"/> Improper or Negligent Operation of a Motor Vehicle <input type="checkbox"/> Participated in a physical altercation while under the authority of school personnel <input type="checkbox"/> Threatened to injure or injured a pupil or school employee <input type="checkbox"/> Habitual violation of school rules or policies

The above-referenced student has been suspended pending a hearing to be conducted by the Kanawha County Board of Education or an impartial hearing officer

Date of Misconduct: \_\_\_\_\_

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Date



**BEFORE THE BOARD OF EDUCATION OF THE  
COUNTY OF KANAWHA**

To:

\_\_\_\_\_  
[Parents, Guardians or Custodians]

\_\_\_\_\_  
[Student]

\_\_\_\_\_  
\_\_\_\_\_  
[Address]

\_\_\_\_\_  
\_\_\_\_\_  
[Address]

**Statement of Charges**

**Recommended Disposition**

**Hearing**

A hearing shall be conducted on \_\_\_\_\_, at \_\_\_\_\_ m., in Room \_\_\_\_\_,  
at 200 Elizabeth Street, Charleston, West Virginia.

The student may be represented by counsel, may call his of her own witnesses and may confront and cross-examine witnesses supporting the charges. The hearing shall be recorded by mechanical means. The hearing may be postponed for good cause shown by the student, but he or she shall remain under suspension until after the hearing.

\_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date

*Safe Schools Form 4*

**Appendix E**

**NOTICE OF VIOLATION OF W. VA. CODE §61-7-11a**

\_\_\_\_\_ School

To: State Superintendent of Schools  
West Virginia Department of Education  
1900 Kanawha Boulevard East  
Charleston, WV 25305

Superintendent  
West Virginia State Police  
Jefferson Road  
South Charleston, WV 25309

Name of Individual who possessed a deadly weapon in violation of W. Va. Code §61-7-11a: \_\_\_\_\_

\_\_\_\_\_

Date of violation: \_\_\_\_\_

Description of violation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Principal**

\_\_\_\_\_

**Date**

*White Copy - School; Pink Copy - State Superintendent; Yellow Copy - State Police*

*Safe Schools Form 5*

STUDENT RECORD  
CONFIDENTIAL

**REGISTRATION STATEMENT REQUIRED BY W. VA.  
CODE §18-5-15f**

**(PUPIL NOT CURRENTLY UNDER SUSPENSION OR EXPULSION)**

I, \_\_\_\_\_(name of parent), do hereby swear/affirm that  
\_\_\_\_\_(name of student) is not at this time, under suspension or expulsion from attendance  
at a private or public school in West Virginia or another state.

\_\_\_\_\_  
Pupil's Parent, Guardian or Custodian

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by \_\_\_\_\_.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

STUDENT RECORD  
CONFIDENTIAL

**REGISTRATION STATEMENT REQUIRED BY W. VA.  
CODE §18-5-15f**

**(PUPIL CURRENTLY UNDER SUSPENSION OR EXPULSION)**

I, \_\_\_\_\_(name of parent), do hereby swear/affirm that  
\_\_\_\_\_(name of student) is at this time, under suspension or expulsion from attendance at a  
private or public school in West Virginia or another state. The name and address of the school from which  
\_\_\_\_\_(name of student) is under suspension or expulsion is  
\_\_\_\_\_(name of school)  
\_\_\_\_\_(address of school).

\_\_\_\_\_  
Pupil's Parent, Guardian or Custodian

STATE OF WEST VIRGINIA,

COUNTY OF KANAWHA, to-wit:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by \_\_\_\_\_.

My commission expires \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

Safe Schools Form 6b

# STUDENT DRESS POLICY

## KANAWHA COUNTY BOARD OF EDUCATION POLICY

### Student Dress Policy

Series: J36

Reference:

Issued: 11.17.2000

Revised: 05.17.2008

#### **36.01 Policy and Purpose:**

The appropriateness of a student's dress for the school environment should dictate the choice of clothing and grooming practices on each given day.

All students are expected to adhere to common practices of modesty, cleanliness and neatness; to dress within the acceptable standards of the community and in such a manner as to contribute to the academic atmosphere, not detract from it. The student who fails to comply with this dress code may be sent home and be subject to disciplinary actions.

Any clothing, accessories, symbols, jewelry, or other paraphernalia, which depicts or suggests association with a gang shall not be brought to school, worn at school, or in any way be present at any school related event. Oversized or baggy clothing, which may present a safety hazard may not be worn.

Any other considerations, i.e. religious, medical, et al., will be determined by the individual school principal. The school administration shall have the right to consider any current fashion to determine its acceptability for school wear.

Clarification regarding apparel should be obtained PRIOR TO WEARING IT TO SCHOOL; this can be obtained from the school administration. Students in violation of this policy will be subject to disciplinary action as determined by the school's administration.

Teachers are charged with the responsibility of enforcing student dress code policy in their classes as well as on campus. Administrators and other school personnel share the same responsibility. Teachers shall follow building procedure for discipline referral regarding dress code violations.

No attempt will be made to dictate fashion styles as long as they are in keeping with district policies. It should be noted, however, that it is the responsibility of the student and parent that the student adhere to the Dress Code, as follows:

#### **36.02 General:**

Any clothing, jewelry or accessories with decorations, patches, lettering, advertisements, etc., that may be considered obscene or offensive are not to be worn to school. This includes any clothing, jewelry, accessories that may be used as weapons, which have drug emblems, contain obscenities, tobacco or alcoholic beverage references, which may be considered derogatory towards a race, culture or religion, or which may be considered any form of harassment.

Crop tops, tube tops and halters are unacceptable. Strapless dresses without jackets are unacceptable.

Transparent and/or see through material is considered unacceptable. Shirts or blouses must cover the entire torso at all times, even in movement.

No undergarments, i.e., bras, panties, briefs or boxers may be visible. Also no body parts of a personal or private nature, i.e., buttocks, genitalia or female breasts may be exposed.

At the secondary level, a boy's shirt should cover the entire crown of the shoulder.

#### **36.03 Dresses, Skirts and Shorts:**

The length of a skirt, dress or shorts must extend to at least the student's mid-thigh.

#### **36.04 Pants:**

Form-fitting pants, such as spandex or bicycle pants, may only be worn with another layer of clothing which meets the dress code. Any tears, rips or cuts in trousers or pants must be below the knee.

Students shall wear their trousers or overalls properly—the waist at the waist; no sagging.

**36.05 Accessories:**

All students must wear shoes. Flip-flops, thongs or similar type shoe, which fit between the toes, are considered unsafe and, therefore, are not allowed at the elementary level. Such footwear may be worn in middle and high schools.

Hair should be kept neat, clean, and reasonably styled.

Any type of head covering is unacceptable.

Facial hair should be neat, clean, closely trimmed and not be a distraction to the learning environment.

Chain or spike jewelry is unacceptable.

Pierced body ornaments are restricted to the ear.

Tattoos, which would violate this policy if worn as clothing, must be covered.

**KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

**Racial, Sexual, Religious/Ethnic Harassment and Violence**

**Series: G50A**

**Reference: W.Va. Code §5-11-9(a) (1); Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; W. Va. Board of Education Policy 2421**

**Issued: 01.12.1993**

**Revised: 10.02.2000; 09.20.2001; 06.01.2006; 11.08.2010; 11.03.2014**

**Revision Number: 7**

**50.01 Purpose.** The purpose of these regulations is to prevent racial or religious/ethnic harassment or violence, towards students and staff, to protect the academic environment and to assure that Kanawha County Schools respond to harassment and/or violence incidents when they occur in a manner that effectively deters future incidents and affirms respect for individuals.

**50.02 Racial, Religious and Ethnic Harassment Or Violence Prohibited.** Harassment or violence on the basis of race, religion or ethnicity occurring in the work place or the educational environment is strictly prohibited and illegal. All employees are responsible for assuring that the workplace and educational environment is free from racial, religious/ethnic harassment or violence.

**50.03 Definitions.**

**50.03.1 Racial Harassment –** Racial Harassment consists of physical, verbal or written conduct relating to an individual's race when:

**50.03.1.1** it has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;

**50.03.1.2** it has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

**50.03.1.3** otherwise adversely affects an individual's employment or academic opportunities.

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

**50.03.3 Religious/Ethnic –** Religious/Ethnic Harassment consists of physical, verbal or written conduct relating to an individual's religious or ethnic background when:

**50.03.3.1** it has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;

**50.03.3.2** it has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or

**50.03.3.3** otherwise adversely affects an individual's employment or academic opportunities.

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

**50.03.5 Assault –** Assault is:

**50.03.5.1** an act done with intent to cause fear in another of immediate bodily harm or death; or

**50.03.5.2** the threat to do harm to another with present ability to carry out the threat.

**50.04****Reporting Complaints.** Any employee or student who has a complaint of racial, religious/ethnic harassment or violence at work or at school by anyone, including supervisors, coworkers, teachers, staff or non-employees, must report the problem to the immediate supervisor, the Executive Director of Human Resources, other staff member(s) designated to receive such complaints or the Title IX Coordinator (348-1379). If the complaint involves someone in the employee's direct line of supervision, the employee may report the problem directly to the Executive Director of Human Resources.

**50.05****Investigation.** All complaints will be promptly and thoroughly investigated. The investigation shall be undertaken by the principal or immediate supervisor or his or her designee, unless the alleged harasser is the principal or immediate supervisor, in which case the Superintendent shall designate another individual to investigate. Absent exceptional circumstances, the investigation shall be completed and a report submitted within ten (10) school days. The privacy of the complaining party and the person accused of racial, religious/ethnic harassment will be kept strictly confidential to the extent permitted by law, as will all reports, documents, statements, and other information generated by the investigation.

**50.06****Discipline.** If the results of the investigation support disciplinary action, steps will be taken, which may include reprimand, suspension or termination of employment. If the harasser is a student, disciplinary action may include suspension or expulsion. Any employee or student who falsely reports racial, religious/ethnic harassment shall be subject to the same disciplinary actions.

**50.07****Reprisals.** No person shall retaliate against any person who is the victim of or who reports alleged racial, religious/ethnic harassment or testifies, assists, or participates in an investigation, proceeding, or hearing related to a racial, or religious/ethnic harassment complaint. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment. Persons found guilty of retaliation shall be subject to discipline.

**50.08****Non-exclusive Remedy.** These procedures do not limit the right of any person to pursue other avenues of recourse which may include filing an employee grievance, charges with the West Virginia Human Rights Commission, or such other criminal, civil or administrative remedy as may be available.

## **SECTION 504 INFORMATION**

Section 504 of the Rehabilitation Act insures that the education system provides services necessary for a student with disabilities to participate in and benefit from public education programs and activities. Section 504 allows for modifications and accommodations for a student with disabilities. Section 504 is designed for those students having any physical or mental impairment that substantially limits one or more major life activities including seeing, hearing, walking, and learning. Section 504 is not an aspect of special education but is the responsibility of the regular education system to provide accommodations and modifications for eligible students. Students who have physical or mental disabilities that limit the ability to access and participate in the education program are entitled to rights (protection) under Section 504. Students who qualify for Section 504 modifications receive a Section 504 Plan, which is a written document describing the student's needs and the way the school district plans to meet those needs. The 504 Plan documents the modifications and accommodations necessary for the student to access the educational program, services related to the impairment, instructional methods, and/or equipment which are needed for the eligible student. The Section 504 Plan is written to provide a more successful experience in school. For further information, contact the Section 504 school coordinator at your school. Parents may also contact Jim Mullins, Section 504 Coordinator for Kanawha County Schools, at 348-7770, ext. 347.

### **POLICY OF NONDISCRIMINATION ON THE BASIS OF DISABILITY** Section 504 of the Rehabilitation Act of 1973

#### **EDUCATION POLICY STATEMENT**

The Kanawha County School District will identify, evaluate, and provide an appropriate public education to students who are disabled within the meaning of Section 504 of the Rehabilitation Act of 1973.

#### **NOTICE OF NONDISCRIMINATION**

Applicants for admission and employment, students, parents, employees, and sources of referral of applicants for admission and employment are hereby notified that the Kanawha County School District does not discriminate on the

basis of race, color, religion, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. Any person having inquiries concerning the Kanawha County School District's compliance with the regulations implementing Title IX or Section 504 is directed to contact: Title IX: Title IX Coordinator, Kanawha County Board of Education, 200 Elizabeth Street, Charleston, WV 25311-2119, phone 348-1379; Section 504: Section 504 Coordinator, Kanawha County Board of Education, 200 Elizabeth Street, Charleston, WV 25311-2119, phone 348-1366. These persons have been designated by the Kanawha County School District to coordinate the efforts to comply with the regulations implementing Title IX and Section 504.

#### **DUE PROCESS**

Due Process as required by PL 101-476 (formerly PL94-142) requires a system of procedural safeguards with respect to actions regarding the identification, evaluation or educational placement of persons who need or are believed to need, because of disability, special instruction or related services. Due Process procedures are handled through the Office of Exceptional Students.

The Office for Civil Rights enforces federal laws prohibiting discrimination against persons on the basis of race, color, national origin, religion, sex, age or mental and physical disability and investigates discrimination complaints brought by individuals under these statutes.

#### **NOTICE OF 504/ADA NONDISCRIMINATION**

The Board of Education of the County of Kanawha (BOARD) ensures its policies; practices, procedures and working environment are free from discrimination on the basis of disability. BOARD will not tolerate disability discrimination, which is a violation of state and Federal law. Any individual, including a parent, student or employee, may file a grievance if it is alleged that a policy, practice, procedure, or direct service provided by the BOARD has resulted in a violation of Section 504 or the Americans with Disabilities Act (ADA). Any retaliation or reprisal against individuals who file complaints or participate in the complaint process is prohibited by BOARD. Section 504 Coordinator: Charles Szasz, 348-1366. ADA Coordinator for Operations Division, 348-6628.

#### **Education Policy Statement**

The Kanawha County School District will identify, evaluate, and provide an appropriate public education to students who are disabled within the meaning of Section 504 of the Rehabilitation Act of 1973.

#### **GRIEVANCE PROCEDURE 504/ADA**

#### **KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

#### **504 Of The Rehabilitation Act/Americans With Disabilities Act**

#### **Grievance Procedure**

**Series: E05A**

**Reference:**

**Issued: 08.12.98**

**Revised: 07.01.2016**

**Revision Number: 1**

**5.01 General.** The Board of Education of the County of Kanawha (BOARD) ensures its policies, practices, procedures and workplace and educational environment are free from discrimination and harassment on the basis of disability. BOARD will not tolerate disability discrimination or harassment, which are violations of state and Federal law. Any individual, including a parent, student or employee, may file a grievance if it is alleged that a policy, practice, procedure, or direct service provided by the BOARD has resulted in a violation of Section 504 or the Americans with Disabilities Act (ADA). BOARD prohibits any retaliation or reprisal against individuals who file complaints or participate in the complaint process.

#### **5.02 Definitions.**

**5.02.01 Grievance** - a complaint alleging a policy, procedure, practice, or direct service of the BOARD is in violation of Section 504 and/or the ADA. A complaint may also be filed in reference to alleged discrimination based on disability directed toward an individual by students, staff, or other third parties.



- 5.02.02 Grievant** - any individual, including a parent, student or employee, who files a grievance alleging that a policy, practice, procedure, or direct service provided by the BOARD, or that any alleged act of discrimination has resulted in a violation of Section 504 and/or of the ADA.
- 5.03 Level 1: Section 504/ADA Coordinator.** A grievant may file a written grievance by submitting a written report to the Section 504/ADA Coordinator, hereafter, the "Coordinator", at 200 Elizabeth Street, Charleston, WV 25311, stating: 1) the nature of the grievance; including the alleged violations of Section 504 or ADA and the facts upon which the allegations are based, 2) the remedy requested; and 3) signature and date signed by the grievant. The Level 1 written grievance must be filed with the Coordinator within 90 calendar days of the event or incident or within 90 calendar days of the date the grievant became aware of such occurrence. If possible, the Coordinator will resolve the grievance and will provide written notice to all concerned parties. If the parties cannot agree on resolution within 15 days of receipt of the written grievance, the Coordinator will conduct an adequate, reliable and impartial investigation as follows:
- 5.03.01** Within 10 days of receipt of the written grievance:
- 5.03.01.1** The grievant will be notified in writing of receipt of the grievance and all concerned parties will be requested to submit any additional information relevant to the investigation, including submission of documents and other evidence and submission of names of witnesses to be interviewed.
- 5.03.01.2** BOARD staff directly involved in the allegations will be informed in writing of the grievance and will be requested to submit relevant documents and other evidence, including names of witnesses to be interviewed.
- 5.03.01.3** Parties will be given 20 days to submit documentation.
- 5.03.01.4** The Coordinator will conduct an investigation, which will consist of a review of all documentation submitted and interviews of individuals having information relevant to the investigation, including witnesses submitted by the parties.
- 5.03.01.5** The Coordinator will issue a letter of findings to all concerned parties within ninety calendar days of receipt of the written grievance stating: 1) the allegations, 2) the remedy sought by the grievant, 3) individuals interviewed and documents reviewed; 4) statement of the findings of fact, 5) a statement of the conclusions of the investigation, and 6) the actions to be taken to correct any violations found and to prevent the recurrence of such violations.
- 5.03.01.6** With the agreement of all parties, the timeline for completing the investigation and issuing the report may be extended.
- 5.03.01.7** BOARD will take steps to prevent the recurrence of any discrimination or harassment, and to correct any discriminatory effects on the Grievant and others, when appropriate.
- 5.03.01.8** A copy of the letter of findings will be provided to the grievant, the office director or school principal and the Superintendent of Schools.
- 5.04 Level 2: Superintendent.** A party not satisfied with the decision from Level I may make a written appeal to the Superintendent, hereafter, the "Superintendent", within 30 calendar days of the issuance of the letter of findings from Level 1.
- 5.04.01** Within 10 days of receipt of the request for review of the letter of findings and decision, the Superintendent or designee shall notify all parties of the appeal and of their right to submit additional relevant information for consideration.
- 5.04.02** The Superintendent or designee shall review the letter of findings, review any additional information submitted and issue a written decision to all concerned parties within 45 calendar days.
- 5.04.03** The decision of the Superintendent is final. A party not satisfied with the decision may appeal to the U.S. Department of Education or a court of competent jurisdiction.

**5.05 Options for the Grievant.** Employees of BOARD may file a grievance under the employee grievance procedure under Article 2, Chapter 6C of the Code of West Virginia. A grievant may at any time file a complaint with the Office for Civil Rights, Wannamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107. A due process hearing may be filed for Section 504 issues with respect to actions regarding the identification, evaluation or educational placement of public school students who, because of disability, need or are believed to need special instruction or related services. A hearing request addressing issues under both the Individuals with Disabilities Education Act and Section 504 for an individual student filed with the BOARD will be treated as one due process hearing. Section 504 Coordinator: Dr. James Mullins, 304-348-7740 ext. 347. ADA Coordinator, Mr. Charles H. Wilson, 348-6148.

**FEDERAL LAW SUMMARY SHEET**

<b>Law or Executive Order</b>	<b>Prohibits</b>	<b>Covers</b>
Equal Pay Act 1963	Sex Discrimination (in pay only)	Employee
Vocational Education Act of 1963	Sex Discrimination in Vocational Education	Student
Title VI Civil Rights Act of 1964	Race, sex, color, & national origin	Student
Title VII Civil Rights Act of 1964	Race, sex, color, national origin & religious discrimination, sexual harassment	Employee
Executive Order 11246 (as amended by E.O.11375), 1968	Race, sex, color, national origin & religious discrimination, sexual harassment	Employee
Title IX, Educational Amendment of 1972	Sex Harassment	Sex Discrimination Employee & Student
Rehabilitation Act, 1973, Section 504	Handicapped Discrimination	Student
Public Law 94-142, 1976	Handicapped Discrimination	Student
Pregnancy Discrimination Act, 1978	Sex Discrimination	Employee
Age Discrimination in Employment Act, amended 1978	Age Discrimination	Employee

**KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

**Title IX Grievance Procedure**

**Series: J12A**

**Reference: Title IX Educational Amendments of 1972**

**Issued: 02.21.1980**

**Revised: 10.16.1980; 10.24.1983; 05.17.2012**

**Revision Number: 3**

Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs or activities receiving Federal financial assistance. The following grievance procedure has been adopted:

**TITLE IX  
GRIEVANCE PROCEDURE**

## Purpose

The purpose of this procedure is to provide a way for employees, students and third parties to reach solutions to problems of alleged sex discrimination, including sexual harassment, sexual assault and sexual violence.

## Definitions

“Sex discrimination” occurs when a person, because of his or her sex, is denied participation in or the benefits of any education program receiving federal financial assistance. Sex discrimination includes, but is not limited to, disparate treatment based on gender, sexual harassment, sexual violence and sexual assault.

Disparate Treatment Based on Gender means any difference in treatment based on gender unless that is a legitimate nondiscriminatory reason for the difference in treatment.

## Sexual Harassment

For purposes of this policy, “sexual harassment” shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic, or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status or an individual's employment.
2. Submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting the individual.
3. Such conduct deprives a student of educational aid, benefits, services, or treatment.
4. Such conduct is so sufficiently severe, persistent, or pervasive that it has the purpose or effect of substantially interfering with a student's school performance or an employee's job performance, or creating an intimidating, hostile, or offensive educational or working environment.

Examples of conduct that may constitute sexual harassment include, but are not limited to, sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with a student's ability to work or learn or creates an intimidating, hostile, or offensive learning or working environment.

This policy covers, without limitation, sexual harassment by a student to another student; a student to an employee; an employee to a student; a third party to a student; a student to a third party; a male to a male; a female to a female; a male to a female; and a female to a male.

## Sexual Violence

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:

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

## Assault

Assault is an act done with intent to cause fear in another of immediate bodily harm or death; or the threat to do harm to another with present ability to carry out the threat.

In order to maintain a program of nondiscrimination practices and a learning environment that is in compliance with applicable laws and regulations, the Kanawha County Schools designates the Title IX Coordinator as the district's Compliance Officer to serve as the coordinator and/or compliance official for purposes of Title IX of the Educational Amendments Act of 1972.

The Compliance Officer shall publish and disseminate a notice of this policy and complaint procedure at least annually to students, parents/guardians, employees, and the public, together with either a copy of this policy or a statement how to obtain a copy of this policy. A copy of this policy will be distributed to all buildings and facilities within the district, and included or referenced in all student or employee handbooks.

Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

The Compliance Officer, together with other appropriate district officials, is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Curriculum and Materials – Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training – Provision of training for students and staff to identify and alleviate problems of discrimination and unlawful harassment. Provision of training to all building principals to investigate complaints under this policy.
3. Student Access – Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District Support – Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related matters.
5. Student Evaluation – Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
6. Employment Relations –
  - a. Development of position qualifications, job descriptions and essential job functions.
  - b. Recruitment materials and practices.
  - c. Procedures for screening, interviewing and hiring.
  - d. Promotions.
  - e. Disciplinary actions, up to and including terminations.
7. Reports and Complaints – Administration of the reporting and complaint procedure provided in this policy.

Each employee shall be responsible to maintain learning and working environment free from all forms of unlawful discrimination and harassment, and to report all incidents of unlawful discrimination or harassment which he/she observes or is informed about to the building principal or Compliance Officer.

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an environment free from all forms of unlawful discrimination and harassment, and to report all incidents of unlawful discrimination or harassment which he/she observes or is informed about to the building principal or Compliance Officer.

#### Reporting Violations: Filing Complaints

A student (or his/her parent/guardian) who believes he/she has been subject to conduct that constitutes unlawful sex discrimination, including sexual harassment is encouraged to report the incident to the building principal as soon as possible. A student may also report incidents/violations to any teacher, coach/advisor, counselor, or administrator. A complaint may also be filed with the Title IX Coordinator at 200 Elizabeth Street, Charleston, WV 25311, Telephone Number 304-348-1379.

Any school employee who suspects or is notified that a student has been subject to conduct that constitutes unlawful sex discrimination, including sexual harassment, shall report the incident to the building principal as soon as possible (not later than twenty-four (24) hours unless extenuating circumstances justify a reasonable extension of that deadline). If it is not possible to contact the building principal in a timely fashion, the school employee shall report the incident to the Compliance Officer or

another administrator as soon as possible.

If the building principal is the subject of the complaint or otherwise not impartial, the student shall report the incident directly to the Compliance Officer. If the Compliance Officer is also a subject of the complaint or otherwise not impartial, the report shall be made to another administrator or the Superintendent of Schools.

All complaints by a student (or his/her parent/guardian) who asserts that he/she has been subject to conduct that constitutes unlawful sex discrimination, including sexual harassment shall be made in writing on the forms which are available at each school building principal and other working location or from the Compliance Officer). If the incident was initially reported orally, the building principal or Compliance Officer shall inform the student of the right to file a complaint and the complaint procedure, and shall promptly provide all necessary forms and assistance to enable the complainant to file an appropriate written complaint if he/she so desires.

The building principal or Compliance Officer shall inform any complainant or potential complainant who is a minor that he/she may be accompanied by a parent/guardian during all steps of the complaint procedure.

Complaints shall be filed within thirty (30) 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.

Even if no formal written complaint has been filed by or on behalf of a student who alleges he/she has been subjected to conduct that constitutes unlawful sex discrimination, including sexual harassment, any building principal or Compliance Officer who receives a report of a possible violation shall cause an informal investigation to be made, and take all necessary interim actions reasonably calculated to prevent any violations during the period before the completion of informal and formal procedures under this policy. If the informal investigation suggests that there has been a violation, the Compliance Officer shall be informed. The Compliance Officer shall review the matter, conduct such further investigation as he/she deems appropriate and, if he/she concludes that there has been a violation, the Compliance Officer shall recommend prompt, corrective action to ensure that the conduct ceases and will not recur, and to remedy any effects of the violation for which the district is responsible. The Compliance Officer shall also recommend such disciplinary procedures as he/she deems appropriate.

#### Appointment of Initial Investigator

Upon receiving a written complaint of discrimination, the building principal shall either commence an investigation or authorize another administrator or person trained on this policy to commence an investigation, unless the building principal is the subject of the complaint, is otherwise not impartial, or is unable to conduct the investigation. In the latter case, the Compliance Officer shall authorize another administrator who is not the subject of the complaint and who is impartial to conduct the initial investigation. Provided that a complaint that involves a complaint of sexual harassment of a student by an employee shall be reported to and investigated by the Compliance Officer in accordance with the provisions of Kanawha County Schools Administrative Regulation G64A.

District employees and officials shall ensure that the initial investigator shall be appointed and initiate a formal investigation within forty-eight (48) hours after the filing of a written complaint under this policy, unless extenuating circumstances justify a reasonable extension of that deadline. In the event the person designated to conduct the initial investigation shall be unable to complete the investigation in a timely manner, the Compliance Officer shall authorize another appropriate person to complete the initial investigation.

#### Rights During Complaint Procedure

The building principal or other person designated to conduct the initial investigation shall be responsible to:

1. Provide the opportunity for participation by the parents/guardian of a minor student and representation by counsel at any conference, meeting, or hearing with a student and in presenting information.
2. Permit an employee to be accompanied by a representative at any conference, meeting, or hearing with the employee.
3. Provide an opportunity for the complainant and the accused to present witnesses and other evidence.
4. Take all necessary interim actions reasonably calculated to prevent any other violations prior to the completion of the complaint procedure.
5. Comply with the confidentiality requirements of this policy.

6. Notify the complainant of the status of the investigation and complaint procedure on a periodic basis and at appropriate stages of the procedure.

After the initial investigation has been completed, the Compliance Officer shall be responsible to implement the above requirements until the conclusion of the complaint procedure.

#### Investigation

The formal investigation shall include individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation, and shall consider all information presented by the complainant and the accused. Every attempt will be made to conduct and complete the investigation as thoroughly and speedily as possible. The obligation to conduct this investigation shall not be negated by the fact that a criminal or insurance investigation of the incident is pending or has been concluded, although the investigation may be delayed or suspended at the request of law enforcement while the law enforcement agency is gathering evidence. In the event investigation is delayed at the request of a law enforcement agency, appropriate steps will be taken to provide for the safety of the victim and the school community and to prevent retaliation by any individual, i.e., change in schedule of the victim and or perpetrator, change of school or suspending during the pendency of the investigation.

#### Investigative Report

The building principal or other person designated to conduct the initial investigation shall prepare a written report within fifteen (15) calendar days after commencing the investigation, 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 Compliance Officer at the expiration of the fifteen (15) day period and every fifteen (15) calendar days thereafter. Although the District may extend the investigation when necessary, it must insure that the completion provides a prompt and equitable resolution.

The written report shall include a summary of the investigation; findings of fact and an explanation of the evidence in support of such findings (including a determination with respect to the factual allegations of the complaint); conclusions whether there have been any violations based on the factual findings and a discussion of the reasons for such conclusions; and a recommended disposition of the complaint, including any recommended district action.

The results of the investigation of each complaint filed under these procedures will be reported in writing to the complainant and the accused by the Superintendent or his/her designee.

#### Appeal

If the complainant is not satisfied with any finding or recommended corrective action proposed in the investigative report, he/she may submit a written appeal to the Compliance Officer within five (5) calendar days after receipt of the results of the investigation. If the Compliance Officer is the subject of the complaint or otherwise not impartial, the appeal shall be submitted to the Superintendent of Schools who shall designate another administrator to conduct the appeal.

An appeal may also be initiated by the Compliance officer if he/she does not accept without further review the recommended corrective action proposed in the investigative report. In that event, the Compliance Officer shall notify the complainant and the accused that an appeal will be conducted and shall discuss alternative corrective actions with the complainant. (The Compliance Officer may not initiate an appeal if he/she is the subject of the complaint or is otherwise not impartial.)

The Compliance Officer (or other designated appeal official) shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation.

The Compliance Officer (or other designated appeal official) shall prepare a written determination with respect to the appeal within fifteen (15) calendar days after initiation of the appeal, unless additional time to complete a supplemental investigation is required. In that case, the appeal officer shall report on the status of the supplemental investigation to the complainant and the accused at the expiration of the fifteen (15) day period and every fifteen (15) calendar days thereafter. Although the District may extend the investigation when necessary, it must insure that the completion provides a prompt and equitable resolution.

The written determination shall include a summary of any supplemental investigation; findings of fact and an explanation of the evidence in support of such findings (including a determination with respect to the factual allegations of the complaint); conclusions whether there have been any violations of this policy based on the factual findings and a discussion of the reasons for such conclusions; and a recommended disposition of the complaint, including any recommended district action. The results of the appeal shall be provided to the complainant and the person who conducted the initial investigation.

### District Action

If the investigation or appeal results in a finding that the complainant is factual and constitutes a violation, the district shall take prompt, corrective action reasonably calculated to ensure that such conduct ceases and will not recur, and to remedy any effects of the violation for which the district is responsible. District action within the authority of administration shall be implemented as recommended in the investigation and appeal process. Recommendations for district action which require Board approval and/or the approval of persons or entities other than the district or its officers or employees shall not be implemented unless so approved.

Any student or employee who is found to have engaged in conduct constituting unlawful discrimination in violation of this policy shall be subject to discipline up to and including expulsion from school or termination of employment. Disciplinary actions and procedures shall be consistent with the Student Code of Conduct, Board policies and district procedures, and other applicable state and federal laws, rules, regulations, and constitutional requirements.

### Confidentiality

Confidentiality of all parties shall be maintained with respect to the filing, investigation, and disposition of all complaints under this policy, consistent with the district's legal and investigative obligations. The district shall not disclose the name of a complainant (or the student on whose behalf a complaint has been filed) to an alleged violator/perpetrator/harasser if the complainant or the parent/guardian of a minor student so requests, but the scope of a reasonable response to the complaint may be limited as a result (e.g., disciplinary action against an accused individual may be limited or precluded).

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.)

### Reprisals

No person shall retaliate against any person who is the victim of or who reports alleged sexual harassment or testifies, assists, or participates in an investigation, proceeding, or hearing related to a sexual harassment complaint. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment. Persons found guilty of retaliation shall be subject to discipline.

### Non-exclusive Remedy

These procedures do not limit the right of any person to pursue other avenues of recourse which may include filing of charges with the West Virginia Human Rights Commission or such other criminal, civil or administrative remedy as may be available.

## **KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

### **Citizen Complaints**

**Series: K06A**

**Reference:**

**Issued: 06.16.1988**

- 6.01.1 Scope.** The procedure provided by this regulation shall apply to complaints about school employees and any other citizen's complaint which is not governed by West Virginia State Board of Education Policy 7211 (126 CSR 188).
- 6.02 Conference.** Any citizen who desires to prosecute a complaint about a school employee or a complaint which is not governed by West Virginia Board of Education Policy 7211 shall schedule a conference with either the employee's immediate supervisor or an employee who is responsible for the administration of the subject area relating to such complaint. If a person is in doubt as to with whom a conference should be scheduled, the Superintendent's office should be contacted for guidance.
- 6.03 Appeal.** Any person who is not satisfied with the response to a complaint following a conference may appeal the matter to the Superintendent. Such an appeal may be made by completing a form which shall include at least the following information:

- (a) Name[s] of person[s] making complaint;
- (b) Description of complaint;
- (c) Name[s] of employee[s] who has[have] been contacted in effort to resolve the complaint; and,
- (d) Statement of what the person[s] making the complaint would like done.

Such forms shall be available in the office of the Superintendent. Upon receipt of an appeal the Superintendent shall undertake to render a decision. Any decision of the Superintendent shall be final and not subject to further appeal. However, nothing contained herein shall be construed to limit the right of persons to appear before the Kanawha County Board of Education as provided in Section 1.07 of Board Policy A1.

**6.04 Employee Due Process.** Nothing within this regulation shall be construed to limit any relevant due process rights of school employees relative to decisions which may adversely affect terms and conditions of employment.

### **CITIZEN APPEAL PROCEDURE**

The West Virginia Board of Education has created a Citizen Appeal procedure to allow citizens to work with county boards of education and administrators to solve problems at the lowest possible administrative level. A Citizen Appeal is a claim by one or more citizens of a violation of state law or a state board of education policy, rule or regulation. The written appeal will identify the specific state law or policy alleged to be violated. Copies of the state board's policies are available for review at the central office.

Citizen Appeals are not applicable to any situation where the county board is without authority to act or where the method of appeal is specifically established by law, such as appeals regarding the placement of exceptional children. Personal complaints against school employees and other complaints not governed by the Citizen Appeal procedure must be resolved through the Citizen Complaint procedure.

The Citizen Appeal procedure requires citizens and parents to first informally discuss their concerns with the proper administrator, usually the school principal or the supervisor/director at the county office, prior to filing a formal appeal. If the matter cannot be resolved informally, the administrator shall provide the citizen with the proper appeal form.

The procedure has four levels: 1) the principal or school administrator; 2) the county superintendent of schools; 3) the board of education; and, 4) the state superintendent of schools. There are prescribed time lines and provisions for written responses, representation and conferences/hearings. Copies of the procedure and forms are available at the Office of the State Superintendent of schools, the central office and each school.

### **LOCAL SCHOOL IMPROVEMENT COUNCILS**

#### **Local School Improvement Council Election**

- a. A local school improvement council shall be established at every school consisting of the following:
  - 1. The principal, who shall serve as an ex officio member of the council and be entitled to vote;
  - 2. Three teachers elected by the faculty senate of the school;
  - 3. Two school service personnel elected by the school service personnel employed at the school;
  - 4. Three parents or legal guardians of students enrolled at the school elected by the parent members of the school's parent teacher organization: Provided, That if there is not a parent teacher organization, the parent or legal guardian members shall be elected by the parents and legal guardians of students enrolled at the school in such manner as may be determined by the principal;
  - 5. Two at-large members appointed by the principal, one of whom resides in the school's attendance area and one of whom represents business or industry, neither of whom is eligible for membership under any of the other elected classes of members;
  - 6. In the case of the vocational-technical schools, the vocational director: Provided, That if there is no vocational director, then the principal may appoint no more than two additional representatives, one of whom represents business and one of whom represents industry;
  - 7. In the case of a school with students in grade seven or higher, the student body president or other student in grade seven or higher elected by the student body in those grades.
- b. The principal shall arrange for such elections to be held prior to the fifteenth day of September of each school year to elect a council and shall give notice of the elections at least one week prior to the election being held. To the extent practicable, all elections to select council members shall be held within the same week. Parents, teachers, and service personnel election to the council shall serve a two-year term, and elections shall be arranged in such a



manner that no more than two teachers, no more than two parents or legal guardians, and no more than one service person are elected in a given year. All other non-ex-officio members shall serve one-year terms. Council members may only be replaced upon death, resignation, failure to appear at three consecutive meetings of the council for which notice was given, or a change in personal circumstances so that the person is no longer representative of the class of members from which appointed. In the case of replacement, an election shall be held to elect another qualified person to serve the unexpired term of the person being replaced.

- c. As soon as practicable after the election of council members and no later than the first day of October of each school year, the principal shall convene an organizational meeting of the school improvement council. The principal shall notify each member in writing at least two employment days in advance of the organizational meeting. At this meeting, the principal shall provide each member with a copy of the current applicable section of this code and any state board rule or regulations promulgated pursuant to the operation of these councils. The council shall elect from its membership a chair and two members to assist the chair in setting the agenda for each council meeting. The chair shall serve a term of one year and no person may serve as chair for more than two consecutive terms. If the chair's position becomes vacant for any reason, the principal shall call a meeting of the council to elect another qualified person to serve the unexpired term.
- d. Once elected, the chair is responsible for notifying each member of the school improvement council in writing two employment days in advance of any council meeting. School improvement councils shall meet at least once every nine weeks or equivalent grading period at the call of the chair or by three fourths of its members.
- e. School improvement councils shall be considered for the receipt of school of excellence awards under section three of this article and competitive grant awards under section twenty-nine, article two of this chapter, and may receive and expend such grants for the purposes provided in such section.

In any and all matters which may fall within the scope of both the school improvement councils and the school curriculum teams authorized in section five of this article, the school curriculum teams shall be deemed to have jurisdiction.

In order to promote innovations and improvements in the environment for teaching and learning at the school, a school improvement council shall receive cooperation from the school in implementing policies and programs it may adopt to:

1. Encourage the involvement of parents in their child's educational process and in the school;
2. Encourage businesses to provide time for their employees who are parents to meet with teachers concerning their child's education;
3. Encourage advice and suggestions from the business community;
4. Encourage school volunteer programs and mentorship programs; and
5. Foster utilization of the school facilities and grounds for public community activities.

Kanawha County Board of Education and Local School Improvement Councils Meetings will be scheduled during the months of October – January. Dates, times, and locations will be announced in late September.

#### **Authority and Procedures for Local School Improvement Councils to Request Waivers of Certain Rules, Policies and Interpretations**

The intent of this section is to establish a mechanism which allows local school level initiatives to be designed and implemented to meet local school needs and circumstances. In accordance with this intent, a local school improvement council established under the provisions of this article may propose alternatives to the operation of the public school which alternatives will meet or exceed the high quality standards established by the state board and will increase administrative efficiency, enhance the delivery of instructional programs, promote community involvement in the local school system or improve the educational performance of the school generally. The proposal of the council shall set forth the objective or objectives to be accomplished under the proposal, how the accomplishment of such objective or objectives will meet or exceed the standards established by the state board, the indicators upon which the meeting of such standards should be judged and a projection of any funds to be saved by the proposal and how such funds will be reallocated within the school. The alternatives proposed by the council may include matters which require the waiver of policies or rules promulgated by the state or county board and state superintendent interpretations: Provided that such request for waiver is submitted to the appropriate board adopting said rule or policy and that board may approve the waiver. When a county board does not act within two months after receiving a request for waiver of a county board policy or rule or disapproves such a request, the local school improvement council may seek an advisory opinion from the state board regarding the waiver request. The county board shall furnish the state board with copies of all waiver requests together with their response thereto: Provided, however, That when a local school improvement council votes to waive a state superintendent's interpretation, the state superintendent need only to be notified that the local council intends to waive the state superintendent's interpretation: Provided further, That notwithstanding any other provisions of the law to

the contrary, council is not prohibited from permitting off-site classrooms to be developed in conjunction with local businesses if those sites have met the requirements established by the local board and if sites are located off campus. For an alternative to be proposed, at least two-thirds of the members must vote in favor thereof: And provided further, That if the alternative to be proposed relates to a waiver of policies or rules promulgated by the state or county board and state superintendent interpretations affecting employees, then prior to the proposal of the alternative, a majority of the local affected employee group involved must agree.

A council may also submit a written statement, with supporting reasons, to the legislative oversight commission on education accountability recommending a waiver of a statute or legislative rule, which the commission shall review and determine whether a recommendation should be made to the Legislature to waive such a statute or rule.

When a council decides to propose an alternative, it shall forward a copy of the proposal to the state board and the affected local board. The state board shall acknowledge receipt of the proposal alternative, promptly review the proposed alternative in consultation with the county board of the alternative or reply to the council within a reasonable time as to its reasons for not approving the proposed alternative. If the state board approves a proposed alternative, the state board shall provide appropriate notice to the local school council and the county board and shall establish a process for evaluation of the operation of the alternative. Approval for the operation of the alternative may be continued or revoked at any time based on the results and findings of the evaluation.

The state board shall submit a report to the legislative oversight commission on education accountability and the governor on the first day of September of each year summarizing the proposed alternatives received, approved or rejected, continued or revoked during the preceding school year and the results and findings of the evaluations. The report shall specifically identify all policy, rule, and interpretation waiver requests including those requests made to county boards by local school improvement councils received during the preceding year and the disposition of each.

## **SCHOOL HEALTH SERVICES**

A certified school nurse is assigned to your child's school and is there on a regular schedule. The school nurse checks all students and makes recommendations for any needed corrections to keep students healthy and in school. The school nurses work with parents and health care providers to insure that a student's health needs are adequately met during the school day. It is important that the Student Emergency Health Information form, which your child brings home at the beginning of the school year, is completely filled out and the school nurse is informed of any health conditions that could impact on your child's education. The school nurse should also be informed of any health concerns for your child that occur during the school year.

Students suspected of having a communicable disease will not be admitted to class until cleared by the school nurse. It is the parents' responsibility to get their children home if they should become ill at school. Parents must make arrangements for this type of emergency. School facilities do not enable us to care for a sick child longer than it takes to notify parents. Medical and dental appointments should be made after school hours or on days when schools are closed if at all possible.

If your child is running a fever of 100° or more, is vomiting, has diarrhea or has the symptoms of a communicable disease, you are responsible for arranging transportation to be take the child home immediately. A student must be fever free and have no vomiting or diarrhea for twenty-four hours prior to returning to school. The school should be provided with at least three emergency contact names and phone numbers so someone can be contacted promptly when your child is ill or shows symptoms of a communicable disease.

## **STUDENT INSURANCE PROGRAM**

Group student insurance is available through your school. This is the economical group insurance program selected by your school officials for your child's protection. Contact your school for information.

## **SCHOOL HEALTH INFECTIOUS DISEASE PROCEDURES**

**Fever** – Must be without fever (fever is 100° or above) for 24 hours before returning to school

**Fifth's Disease** – Student NOT excluded from school unless fever present

**Hand, Foot, Mouth** – Student Not excluded unless fever present, unable to participate or instances such as excessive drooling from mouth

**Unidentified Rash** – RN discretion. If RN is unable to be reached for is unable to be reached for consultation and school staff is concerned with the possibility of a contagious rash, or safety of the student, a note from a licensed health care professional may be requested before student returns to school

**Strep Throat** – May return after 24 hours of antibiotic treatment and without fever

**Mononucleosis** – Student NOT excluded from school unless fever present

**Influenza** – Must be without fever for 24 hours

**Ringworm** – Excluded at the end of the day, treatment to return

**Pink Eye/Redness** – Student NOT excluded unless unable to participate

**Gastroenteritis** – Must have absence of vomiting and/or diarrhea for 24 hours before returning to school

**Impetigo** – Excluded at the end of the day, treatment to return. Area should be washed and covered prior to returning to class

**Herpes Simplex** – Student NOT excluded unless uncontrolled drooling present

**KCS follows the exclusion recommendations of the American Academy of Pediatrics**

*The above guidelines are at the discretion of the professional school nurse.*

## **Kanawha County Schools Health Services Pediculosis (Head Lice) Procedures on Screening**

Kanawha County Schools Health Services, in cooperation with Kanawha Charleston Health Department, and in accordance with the American Academy of Pediatrics and the National Association of School Nurses, has determined that “no-nit” policies are ineffective in controlling out breaks of head lice. Therefore, students found to have nits, after being treated for head lice, will no longer be excluded from the classroom. Students with infestations of live lice will be sent home and must be treated before returning to the classroom.

### **School Responsibilities:**

1. Keep coats and jackets separated
2. Sweep all carpeted areas daily
3. Prohibit dress up hats or wigs in the classroom
4. Personalize towels or mats that are used for naps and store them so they aren't touching
5. Have two persons in the building trained by the school nurse to check for live lice infestation
6. Notify parent of head lice infestation. Provide parent with head lice treatment letter and head lice management information.

### **School Nurse Responsibilities**

1. Train designated persons to screen for head lice.
2. See that schools have copies of the head lice treatment letters and head lice management information sheets.
3. Work with parents of students with chronic re-infestations to educate them regarding head lice management.
4. Upon request, provide information for students and staff about lice and lice management

### **Parent Responsibilities**

1. Arrange, if possible, for an infested student to be transported home
2. Appropriately treat student with a pediculocide, remove nits, treat other infested family members and do all appropriate house cleaning to rid the house of possible head lice infestation.
3. Check children periodically for signs of head lice. Notify the school if you determine that your child has head lice.

If a student is identified as being infested, that student's siblings, locker partners and close playmates should be checked. Confidentiality of infested students will be maintained at all times. After a child is sent home with a case of head lice, and the parent/guardian is informed of the treatment policy, a maximum of two excused absences will be allowed to complete

the treatment process.

It is ineffective and inefficient to check an entire school population for head lice.

The Lead School Nurse, in collaboration with the Kanawha Charleston Health Department, may temporarily enforce stricter exclusion rules for situations of serious and wide spread head lice infestation.

## **KANAWHA COUNTY BOARD OF EDUCATION POLICY**

### **Administration of Medication by School Personnel**

**Series: C50**

**Reference: Basic and Specialized Health Care Procedures Manual for West Virginia Public Schools; W. Va. Code 18-5-22a**

**Issued: 08.18.1994**

**Revised: 03.21.1996; 05.20.2004**

**Revision Number: 2**

- 50.01 Role of School.** The administration of medication to students is the primary responsibility of the parent, guardian, or student. If a student is unable to take his or her own medication and such medication is required to be administered during school hours to facilitate the student's health and regular school attendance, an employee with appropriate training shall be designated to administer required medication. If a student is able to take his or her own medication, then designated personnel will only observe the procedure.
- 50.02 Physician's Order.** No medication, either prescription or non-prescription medication, shall be administered at school except by written order and dosage instructions from the student's physician. If the administration of medication is scheduled for a period in excess of 21 days, Form ECMA-1 must be completed by the student's physician and filed with the school. If the administration of medication is scheduled for a period of 21 days or less, an order from the student's physician and a note of permission from the parent/guardian must be submitted to the school. Standing orders from the Kanawha County Schools Medical Consultant will allow the administration of a very limited list of predetermined nonprescription medications to be given for a period of up to three days with specific written instructions from the parents. No other medications will be administered without an order from a licensed healthcare provider with prescriptive privileges.
- 50.03 Prescription Medication Container.** Prescription medication must be labeled clearly and accurately by a pharmacist or physician. Only one kind of medication may be included in a single bottle or container.
- 50.04 Non-Prescription Medication Container.** Non-prescription medications must be delivered to school in the manufacturer's container, clearly labeled with the student's name.
- 50.05 Storage of Medication.** All medication must be stored in a locked cabinet located in a suitable area designated by the principal. Any medication designated as Schedule II drugs must be double locked. Medications that are needed for immediate emergency use in a life threatening situation only may be carried on the student's person, if there is a physician's order explaining the necessity to have the medication available immediately, and an assessment by the school nurse verifies that this can be safely done.
- 50.06 Employee Training.** Each school principal in conjunction with the Lead School Nurse shall be responsible for arranging appropriate training for school personnel who are designated to administer medication to students.
- 50.07 Employee Responsibility.** No employee may be required to administer medication to students, except that employees in the field of special education, whose employment commenced on or after July 1, 1989, and who receive appropriate training, as required by this policy, may be required to administer medication to students by the principal.
- 50.08 Medication Log.** Any employee who is designated to administer medication to students or observe students' self-administering of medications must accurately complete a medication log.
- 50.09 Disciplinary Action.** Any student who violates the provisions of this policy shall be subject to disciplinary action under Kanawha County Board of Education Policy Series J25 "Student Behavior" as a Level II offense.



# KANAWHA COUNTY SCHOOLS

(Please Print)

Student Name \_\_\_\_\_  
Last First Middle

WVEIS No: \_\_\_\_\_

Birthdate \_\_\_\_\_ Age \_\_\_\_\_

School \_\_\_\_\_ Grade \_\_\_\_\_

Date \_\_\_\_\_, 20\_\_\_\_\_

## ADMINISTRATION OF MEDICATION

This is to be completed at the beginning of each school year for students on long-term medication. If any change in medication or dosage takes place, a new form must be completed.

### USE ONE FORM FOR EACH MEDICATION

**DIAGNOSIS:**

**ICD-9-CODE:**

**NAME OF MEDICATION:**

**DOSAGE:**

**TIME OF ADMINISTRATION:**

**METHOD OF ADMINISTRATION:**

**COMMENTS, e.g., Side effects, reactions, and/or other instructions:**

**NOTE:** *The medication will be administered by designated employee(s) of Kanawha County Schools under the supervision of the school nurse. The school nurse may contact the ordering physician to discuss this order and the student's condition.*

Physician's Name \_\_\_\_\_  
(Please Print)

Physician's Signature \_\_\_\_\_

Date \_\_\_\_\_, 20\_\_\_\_\_ Telephone Number \_\_\_\_\_

Parent Signature \_\_\_\_\_  
(Parental Signature Approving the Administration of the Medication)

Date \_\_\_\_\_, 20\_\_\_\_\_ Telephone Number \_\_\_\_\_

**INTEGRATED PEST MANAGEMENT**  
(Kanawha County Schools)

**TO:** Parents/Guardians

**SUBJECT:** Pest Management Services

As you know, the Kanawha County School System is committed to maintaining a safe and healthy learning environment for all children in our schools. Recently, a state law went into effect which requires all Kanawha County Schools to implement an Integrated Pest Management (IPM) Program. The IPM program is designed to be an environmentally sound and safe pest control program.

Kanawha County Schools, in keeping with our commitment to provide a safe school environment and to comply with state law, is hereby providing notice that, effective immediately, an IPM Program is being implemented.

The Pest Management Company is scheduled to conduct its monthly inspection/service. General pesticides may be applied. In all cases, the least hazardous material will be used.

Please provide the information below if you wish to request a 24-hour notice prior to the application of any pesticides. The application of pesticides will be done judiciously and in all cases the least hazardous materials will be used.

**NOTICE**

**I request a 24 hour notice prior to the application of any pesticide in my school.**

School Name: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Student's Name: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Sensitivities to pesticides? \_\_\_\_\_ If so, please list \_\_\_\_\_

MUST BE POSTED IN A PROMINENT PLACE IN EACH SCHOOL BUS AND ENFORCED BY THE BUS OPERATOR  
State of West Virginia  
State Department of Education  
Office of School Transportation and Facilities

**REGULATION FOR PUPILS TRANSPORTED IN SCHOOL BUSES-Jim Winthrow**  
(Policy 4336 – Approved by the State Board of Education)

**1. OUTSIDE THE BUS**

- a. Walk on left side of road, facing traffic.
- b. Wait on the bus at the designated bus stop in an orderly manner.
- c. Board the bus in a safe, orderly manner.
- d. Follow the bus operator/aide's instructions at all times.

**2. INSIDE THE BUS**

- a. Change seats only with bus operator's permission, and only when bus is not in motion.
- b. Be responsible for the vandalism that occurs on a seat in which they ride.
- c. Cooperate with the bus operator to keep the bus clean. Except when medically necessary, eating and/or drinking on the bus is prohibited.
- d. Avoid unnecessary conversation with the bus operator.
- e. Keep head and arms inside bus windows at all times.
- f. Report any open exit or released latch to the bus operator immediately.
- g. Provide enrollment information to the bus operator.
- h. No riding in stepwell or forward of front row of seats.
- i. No standing while bus is in motion any time a seat is available.
- j. No use of profane or obscene language.
- k. Do not throw or pass any object of any nature into or from the bus through a door or window.
- l. Unless directed by the bus operator, do not open emergency exits, except during emergencies.
- m. Comply with the Student Code of Conduct policy.
  1. Students enrolled in West Virginia public 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 and harassment.
  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.

**PERIODIC INSTRUCTION**

School principals, teachers and bus operators shall work cooperatively in instructing all school pupils with these regulations governing transported pupils. Special emphasis should be given toward pupil discipline while being transported on curricular and extracurricular trips. The county board of education shall furnish a copy of the above regulations to the following persons: superintendent, principals and teachers of schools where pupils are transported, director of transportation, bus operators, attendance directors, and parents.

**Be a Star Player**

The driver will be responsible for the orderly conduct of his passengers. While on the bus, the pupil is under the authority of and directly responsible to the bus driver. Pupils shall conduct themselves on the school bus as they would in the classroom except that reasonable conversation is permissible.

**The right of pupils to ride in the conveyance is conditioned on their good behavior and observance of these rules. Bus**

**operators shall enforce the rules.**

Should any passenger persist in violating any of these rules or regulations, after due warning has been given by the operator, **such disobedient passenger shall then be forbidden by the operator the privilege of further transportation on a school bus until permission has been restored.** Written notice of the action of the operator shall be furnished the parent through the school **but such notice need not precede action by the operator.**

In order to resolve some of the student discipline problems, the following procedures have been established.

**(1) Any student who cuts a school bus seat or damages a school bus in any way will lose all transportation privileges until a conference is held involving the student, parent or guardian, driver, principal, and supervisor. When the school system has been monetarily reimbursed for the damages and been given assurances from both parent and student of no further violation, transportation privileges will be restored. A second offense within the same school year will result in the loss of all transportation privileges for the remainder of the school year. The cost of repairs to the bus to cover the damages by the student will be defrayed by the parent or guardian, up to a maximum of \$5,000 as provided by state law.**

**(2) Any student who uses tobacco of any type on the bus will be expelled from all bus transportation privileges until a conference is held involving the student, parent or guardian, driver, principal, and supervisor. When the school system has been given assurances from both parent and student of no further violation, transportation privileges will be restored. A second offense within the same school year will result in the loss of all transportation privileges for the remainder of that school year.**

**(3) If conditions require a bus to be removed from a run as a result of extensive vandalism or student conduct, it will be removed from the run until the situation can be corrected. This includes regular bus runs, vocational, extra-curricular, and other trips necessary for the operation of the school system. Parents will be notified immediately of the corrective measures taken to assure the safety of every Kanawha County student. Bus runs will not be reinstated until such a time as we can guarantee a safe trip to and from school for the students and drivers.**

## **Know the Team Signals**

### **GETTING ON AND OFF THE BUS**

Help the driver maintain the schedule by being ready and waiting at the bus stop at the scheduled arrival time. Too frequent stops and unnecessary waiting increase traffic congestion. They are unfair to other highway users and multiply hazards for the bus and its occupants.

It is the responsibility of the parent to have the student at the designated bus stop at the scheduled time for bus arrival and on the proper side of the roadway (except in cases where the safety of the student involved may be jeopardized, the proper side of the roadway shall mean the side of the road on which the bus is traveling).

It is the responsibility of the parent to provide supervision at all bus stops until the bus arrives.

If it is necessary for you to wait for the bus on the left side of the road, wait until the bus stops and you get a signal from the driver before crossing the highway to get on the bus.

Look both ways before crossing highway.

Walk quickly – don't loaf, you may be holding up traffic.

Use caution in crossing road after getting off the bus. Some drivers may not observe the rules.

Avoid crowding or pushing when getting on or off the bus.

Students, employees, and/or any other passengers shall be required to use the handrail when getting on or off the school bus.

Students will not be allowed to board the bus with skate boards, animals, reptiles, laser lights, etc. Loose objects, toys, pencils, and pens will be kept in a book bag...

Highly flammable materials, fire arms, explosives and other objects of a dangerous or objectionable nature are prohibited.



## Play Your Position

### RIDING THE BUS

Take the seat assigned by the driver, or if not assigned to a seat, go to the rear of the bus if you are the first to get on.

Take your seat as soon as you get on the bus. Please do not stand!

Share your seat with other pupils. Every effort is being made to fill buses to their capacity to make our service as efficient as possible.

Keep head, hair and limbs inside bus windows at all times.

Do not throw anything in the bus or out of the open window.

Do not eat or drink on the bus.

Talking quietly is permitted. At intersections and at railroad crossings there is to be no talking.

Pupils shall be held responsible for vandalism that occurs to the seat in which they ride or are assigned. (If damage is found, report it promptly to the bus operator.)

Do not transport band instruments to and from school by school bus unless absolutely necessary. Any item too large to conveniently hold on lap or between feet is not permitted.

Learn how to get off the bus in case of emergency. Your driver will have practice drills.

A copy of the rules and regulations that are posted on each bus are included. Please review them thoroughly!

### TRACKING SYSTEMS FOR PUPIL TRANSPORTATION

Kanawha County School buses may be equipped with the use of digital video/audio recording systems, Global Positioning Systems (GPS), and/or student tracking systems for the purpose of reducing disciplinary problems, improving security, and providing for safer transportation for the general well being of students and employees.

#### \*\*\*Bus Behavior Report\*\*\*

**A Bus Behavior Report may be delivered to the parent/guardian by their child. The report must be signed and returned to the school bus driver the following school day. Failure of student to return the Bus Behavior Report will result in further disciplinary action.**

### SCHOOL CLOSING REPORTS

Information about the closing of Kanawha County Schools for inclement weather may be communicated by radio and television stations.

A Wide Area Rapid Notification system (Blackboard) is being implemented for phone notification of emergencies including school closing information. **It is very important that the phone numbers (home, work, cell phones, etc. are correct at your child's schools.**

Parents, employees, and students, are asked not to call the radio and television stations, the schools or the police department. Lines must be kept free. Make rainy day and snow day plans ahead of time with your child. It is not possible to allow each child to phone home for instructions. Discuss the plan in advance with your child.

When schools are closed for the day (or when schools are to be closed early) all regular, night, and alternative classes, extra-curricular activities, vocational education and community education classes scheduled for the morning or evening will be canceled.

When schools are opened two hours late; (for example, if school normally starts at 8:15 delayed starting time would be 10:15) all pre-school, which includes Head Start, LEAP and Full Start will be canceled. All morning vocational classes will also be canceled. Announcements about changes in bus schedules and routes will be made by 8:00 a.m.

New lockdown procedures are followed by each facility in order to provide a safe environment for students and staff.

### **ELEMENTARY EARLY DISMISSAL PROCEDURE**

In the event school must be closed or dismissed early due to bad weather or other emergency, have you made plans to insure that your child has a safe place to go? It is impossible to allow the children to call when the buses are waiting to leave. A procedure and plan needs to be developed now to insure the safety of our children. Please fill in the bottom part of this letter and return to school immediately.

**Discuss this plan with your child to be sure he/she understands. Everyone needs an alternate plan. Maybe you are always home, but on this day you have a doctor's appointment. Make an alternate plan now. For example, if you child comes home early and you are not there, he/she will go to Aunt Jane's next door. Emergencies do happen. Let's be ready.**

In summary, make your plans; discuss them with your child. Be sure he/she understands. Return your plan to the school so that we will know where the child is supposed to go and so the teacher can help any child who forgets where they should go. Staying at school is not an option, the building will be closed.

### **KINDERGARTEN, 1<sup>ST</sup> AND 2<sup>ND</sup> GRADE KANAWHA COUNTY SCHOOL BUS IDENTIFICATION SAFETY TAG PROGRAM**

**West Virginia State School Bus Transportation Policies and Procedures Manual (4346) requires County School Systems to formulate a policy to assure that a young child's guardian be at the bus stop for pickup and delivery of his/her child. The Kanawha County School Bus Identification safety Tag Program will meet this state requirement.**

**Each parent of transported kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grade students MUST complete their portion of the Kanawha County School Bus Identification Safety Tag Form and return it to the appropriate teacher. Kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grade teachers must maintain a copy of this form and provide the Transportation Department with the original. The Pupil Transportation Department will make sure the correct bus terminal supervisor receives a copy of all forms. The terminal supervisor must provide the appropriate bus driver(s) a copy of the form.**

It takes a team effort on the part of each Kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grade student, parent, teacher, principal, supervisor and bus driver to make sure each child is transported safely while not compromising security.

### **USE OF THE TELEPHONE**

Pupils are not permitted to use the school telephone except in emergencies. Nor are pupils called to the telephone, except in emergencies. Messages will be relayed from the office to pupils if they are of an emergency nature. **The school office should not be expected to deliver messages that could have been handled before leaving the home in the morning.**

**Make rainy day and snow day plans ahead of time with your child. It is not possible to allow each child to phone home for instructions. Discuss the plan in advance with your child.**

We would ask that parents refrain calling the school during lunch period, unless there is an emergency, as office personnel are usually involved with supervising the lunchroom.

## Child Nutrition

If children are to perform to the best of their ability, it is very important from them to have a healthy breakfast and lunch. We encourage each and every student to eat in our school cafeterias daily. The Healthy Hunger Free Kids Act will be followed in the school year 2016-2017. Our menus will feature an assortment of fresh fruits and vegetables, whole grain breads, school made dressings, and lower fat dairy items daily. Our salad bars feature many locally grown vegetables, including fresh romaine lettuce, cucumbers, and carrots. We will continue to reduce the usage of processed main entrées and evaluate student preferences each month. Suggestions are always welcome.

### Cost of School Meals

	*Secondary Reduced	*Secondary Regular
Breakfast per day/child	\$.30	\$1.65
Extra Breakfast/child	\$2.25	\$2.25
Lunch per day/child	\$.40	\$2.10
Extra Lunch/Child	\$3.00	\$3.00
Extra Milk	\$.35	\$.35
Adult Breakfast	\$3.25	
Adult Lunch	\$4.25	

\*Students attending elementaries and other selected schools in Kanawha County that are utilizing the Community Eligibility Program (CEP) receive daily one breakfast and one lunch meal free of charge from the time that the school becomes CEP eligible.

1. Parents may choose to pay for meals in advance at the Child Nutrition office and a statement will be sent home each month reflecting current balances to each account.
2. If parents choose to charge student meals, a bill will be mailed home each month to be paid in full upon receipt. A new address for the current school year must be updated at the school level.
3. If the bill is not paid in full monthly and becomes seriously delinquent, the account will be referred to a collection agency. Balances over \$50.00 will be turned over to the collection agency.
4. If the account is referred, charging privileges will be revoked and your child must bring his/her lunch from home or have cash in hand to exchange for the meal each day. Adults are to pay for each meal at the time of the meal to reduce billing charges. Adult accounts are turned over to collections once the balance is over \$50.00.
5. Applications for free and reduced meals can be completed online at [www.wvschoolmeals.net](http://www.wvschoolmeals.net) any time after July 1, 2016. Free and Reduced applications are also available by calling the food service office at [304-348-6660](tel:304-348-6660). Please submit your household application as soon as possible or at any time your income changes. Benefits begin new each school year with a new application and do not cover past years charges to each account.
6. Applications will be sent directly home for any students who attend a school that is not participating in the Community Eligibility Program the first day of school in August. All applications are verified and approval letters are sent home to each student to the address listed on WVEIS. Please be sure your address is correct at your child's school at the start of each year. A random selection of applications will be selected and verified during the verification process conducted in October each year.
7. Pregnant or lactating students can be provided additional nutritional supplements at the school site. Please contact the Child Nutrition Department office at [304-348-6660](tel:304-348-6660) ext. 151.

8. Any student who has a medically based reason for a dietary accommodation must complete a new special dietary needs statement for school year 2016-2017 completed by a physician each and every year. These forms are available on line on the web site or at the individual school location. These are reviewed at the Child Nutrition office and by school nurses at each school.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at [\(800\) 877-8339](tel:8008778339). Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at:

[http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter of all the information requested in the form. To request a copy of the complaint form, call [\(866\) 632-9992](tel:8666329992). Submit your completed form or letter to USDA by:

- (1) MAIL: U.S Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410;
- (2) FAX: (202) 690-7442; or
- (3) EMAIL: [program.intake@usda.gov](mailto:program.intake@usda.gov).

**This institution is an equal opportunity provider.**

## **KANAWHA COUNTY SCHOOLS ADMINISTRATIVE REGULATION**

### **Telecommunications Network Access**

**Series: J33A**

**Reference: State Board Policy 2460**

**Issued: 07.24.1995**

**Revised: 07.01.2004; 07.01.2007; 06.21.2012**

**Revision Number: 3**

**33.01 General.** Kanawha County Schools provides students with the opportunity to become proficient in 21<sup>st</sup> Century learning skills and technology tools, necessary to become lifelong learners with the skills that prepare students to be successful in school, on the job, in life and community as defined in West Virginia Department of Education Policy 2520.14. Kanawha County Schools takes all precautions necessary to ensure that students are exposed to a safe digital environment as required by the FCC under the *Children's Internet Protection Act (CIPA)*, *Children's Online Privacy Protection Act of 1998 (COPPA)* and E-rate guidelines. Kanawha County Schools provides computers and other technology devices, access to the internet, and various programs to enhance and promote the educational experience. Use of any district equipment or network is for the purpose of legitimate educational practices. Use of technology in Kanawha County Schools is a privilege, not a right. Usage of the Kanawha County Schools network suggests no expectation of privacy. Kanawha County Schools and the West Virginia Department of Education reserve the right to monitor, inspect, investigate, copy, review and store, without prior notice, information about the content and usage of any network and system files, user files, disk space utilization, applications, bandwidth utilization, document files, folders, 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. Kanawha County Schools reserves the right to disclose any electronic message, files, media, etc., to law enforcement officials or third parties as appropriate.

**33.02 Internet Safety Education.** Utilize the West Virginia Department of Education provided method and instructional modules that allow districts/schools to certify compliance with the FCC regulations regarding Internet safety policies. The modules provide 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. Instructional information regarding the WVDE method and curriculum content for certifying that students have been educated about appropriate online behavior 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.

**33.03 Parental Agreement.** Prior to affording individual student telecommunication access, *the Internet & Telecommunications*

*Network Acceptable Use Agreement* attached hereto as “Appendix A” (secondary) or “Appendix B” (elementary) must be signed by the student, sponsoring teacher, and parent(s) or guardian(s).

**33.04 School Control.** The principal of each school that affords students telecommunication network access shall cause accurate records to be maintained that include: *an Internet and Telecommunications Network Acceptable Use Agreement* signed by the student and a parent or other responsible adult for each student who is afforded access to the telecommunication network; Internet safety education for all students enrolled in the school, to be recorded in the vehicle provided by WVDE; all relevant account information provided to such students in connection with telecommunication access; and, the initiation and termination dates of individual student telecommunication access. The principal of each school shall ensure that all K-12 students will receive the grade appropriate curriculum currently offered through the West Virginia Department of Education.

**33.05 Accountability and Responsibility.** The acceptable and appropriate use of telecommunications and/or access to the Internet and digital resources is an extension of the educator's responsibility in his/her classroom. Educators occupy a position of trust and stand in the place of a parent or guardian while a student is in school. (W. Va. Code § 18A-5-1(a).) Therefore, it is the educator's responsibility to ensure classroom activities focus on appropriate and specific learning goals and objectives for personalized learning when using Internet-related technologies. Student use of Internet-related or web-based applications must be authorized by the educator and parent or guardian. It is also the educator's responsibility not to use electronic technologies in a manner that risks placing him/her in a position to abuse that trust. Even though “educators” are the ones who come in daily classroom contact with students, acceptable/appropriate uses of online resources, technologies and the Internet is a responsibility of all educational staff and employees.

**33.06 Termination of Access.** The principal of each school that affords student telecommunication access shall cause the termination of individual student access if a student graduates, transfers from the school, drops out of school, or violates agreement described in Section 33.04. The principal shall cause a monthly review of the students who are afforded telecommunication access to insure that all appropriate terminations of student access have occurred.

**33.07 Internet and Telecommunications Access Acceptable Use.**

1. All employees and students are required to abide by this policy and by West Virginia Board of Education Policy 2460 – Educational Purpose and Acceptable use of Electronic Resources, technologies and the Internet. Signed agreements are required for all employees and for all students in grades K-12. Employee supervisors shall annually review technology acceptable use with employees under their supervision and require each employee to sign the Employee Acceptable Use Agreement each year (Appendix C). The agreements are to be kept on file by the immediate supervisor. Schools shall determine a procedure for ensuring annual review of technology acceptable use with all students at the beginning of each year. The appropriate Student Acceptable Use Agreement must be signed each year before a student has access to the Internet or any online resources (Appendix A for secondary students, Appendix B for elementary students). The agreements are to be kept on file at the school by the school Computer Specialist, or other person as designated by the principal. The agreement will not transfer to another school.
2. Kanawha County Schools provides students with the opportunity to become proficient in 21<sup>st</sup> Century learning skills and technology tools, necessary to become lifelong learners with the skills that prepare students to be successful in school, on the job, in life and community as defined in West Virginia Department of Education Policy 2520.14. Kanawha County Schools takes all precautions necessary to ensure that students are exposed to a safe digital environment as required by the FCC under the *Children's Internet Protection Act (CIPA)*, *Children's Online Privacy Protection Act of 1998 (COPPA)* and E-rate guidelines. Kanawha County Schools believes that the benefits to educators and students from access to the Internet and other on-line services, in the form of information resources and opportunities for collaboration, far exceed any disadvantages of access. But, ultimately, the parent(s) and guardian(s) of students are responsible for setting and conveying the standards that students should follow. To that end, Kanawha County Schools supports and respects each family's right to decide whether or not to apply for access.
3. The appropriate use of technology helps employees and students become life-long learners and positive and effective digital citizens. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world and use technology responsibly. They understand that information posted to the Internet is public, permanent and may have long-term impact on their lives and careers.
4. All students will receive the grade appropriate curriculum designated by the West Virginia Department of Education, to ensure that all Kanawha County Schools fully comply with FCC regulations regarding Internet safety policies that are defined under the *Children's Internet Protection Act (CIPA)*, *the Children's Online Privacy Protection Act (COPPA)*, and e-

rate laws and policies. Schools are responsible for maintaining accurate records of students who have completed the curriculum.

5. Kanawha County Schools and the West Virginia Department of Education reserve the right to monitor, inspect and investigate information about the content and usage of the network or any technology device, resources or services which they provide. No student should have any expectation of privacy when using them; we reserve the right to disclose any information to law enforcement or third parties as appropriate.
6. Employees, the student and his/her parent(s) or guardian(s) must understand that access to the School District Network is being developed to support the District's educational responsibilities and mission. The specific conditions and services offered will change from time to time. In addition, Kanawha County Schools makes no warranties with respect to network service, and it specifically assumes no responsibilities for:
  - a. The content of any advice or information received by a student from a source outside the District, or any costs or charges incurred as a result of seeing or accepting such advice;
  - b. Any costs, liability or damages caused by the way the student chooses to use his/her network access;
  - c. Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of the District;
  - d. The privacy of electronic mail or other forms of electronic communications, which cannot be guaranteed.
7. Specific examples of prohibited use include, but are not limited to:
  - a. Downloading, executing or viewing non-educational activities (e.g., games, music, videos, shopping, gambling);
  - b. Downloading, uploading and/or executing malicious code (e.g., viruses, Trojans, worms, macros, spyware, malware, etc.);
  - c. Unauthorized installation or willful altering of software, setup preferences, security or other system settings;
  - d. Corrupting, destroying, deleting or manipulating system data with malicious intent;
  - e. Creating, storing, transmitting or viewing materials of a violent, sexual, racist, obscene or other offensive nature;
  - f. Cyber bullying, hate mail, defamation, harassment of any kind, discriminatory jokes/remarks, and other unauthorized uses as referenced in federal, state, and local policies and laws.
  - g. Employing the network, equipment or technology resources for commercial or unauthorized purposes;
  - h. Using school equipment or resources in any manner that violates any law or state/district policy;
  - i. Violating copyright laws;
  - j. Misrepresenting an individual's identity or sources of communication or data (e.g., plagiarism, language translators).
  - k. Using another's username/password to gain unauthorized access to email, electronics files, folders or online resources;
  - l. Providing your username/password to another to gain unauthorized access to secure network resources;
  - m. Unsupervised or unauthorized participation in non-educational / non-professional chat rooms, wikis or blogs;
  - n. Connecting any computer or other device to the network without the consent of the network administrator, Department of Technology or Department of Information Systems;
  - o. Unauthorized or improper publishing to district or school websites;
  - p. Unauthorized disclosure, use, or dissemination of personal information regarding yourself (if student) or others;
  - q. Using social media to engage in non-professional interaction between employees and students in an inappropriate manner;
  - r. All other prohibited activities as listed in WVDE Policy 2460, Section 6.3.
8. No student is allowed to use the Internet unless an authorized adult supervisor is provided in the same room as the Internet computer. The adult supervisor must have successfully completed the KCS 24 Hour Internet course. In addition, a signed acceptable use agreement must be on file for the student before he/she is permitted to access the Internet. The agreement remains in effect for the school year or until it is revoked by the parent or authorized school personnel.
9. Access to the Internet and WVEIS is provided to all schools and administrative locations through connection to the state telecommunications network established by WVDE and WVNET. This access provides technical protection measures in the form of Internet content filtering to protect against visual depictions that may be considered (1) obscene, (2) child pornography, or (3) harmful to minors as well as other material deemed locally to be harmful to minors. In order to implement the intent of CIPA, COPPA, and E-rate guideline, alternative means of connecting to the Internet from schools and administrative locations are specifically prohibited, unless such service demonstrates similar protective measures and is approved in advance by the Director of Technology. Content filtering is an additional means of providing protection, but it is not to be considered a substitute for the adult supervision required by this policy.

10. Internet access is provided to users by means of a Local Area Network (LAN), for exclusive use at the school or administrative location. Dial-up or other remote connections to district routers, servers or other equipment connected to the Internet or Wide Area Network (WAN) are prohibited unless approved by the Director of Technology. Approval will only be granted when access is deemed necessary, and when such access does not conflict with federal, state and local laws, policies or procedures. Kanawha County Schools is not responsible for any damages, loss of data, or validity of information acquired, when accessing the WAN or LAN.
11. Use of the Internet and Telecommunication Network is considered a privilege and maybe suspended or revoked for violation of school, district or state Acceptable Use policies. The Kanawha County Board of Education will take appropriate legal action in response to violations of federal, state and district telecommunication policies. Such action may include, but is not limited to, action to recover damages and referral to law enforcement agencies.
12. Instances of cyber bullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks and other instances of abuse as referred to WV Board of Education Policy 2460, Kanawha County Policy C53 and other policies and laws will not be tolerated. Allegations of such abuse shall be investigated and appropriate administrative and/or disciplinary actions initiated according to applicable policies and laws.
13. Regardless of the type of social media or electronic communication, inside or outside school, all employees shall maintain a professional relationship with students. Therefore, all employees are discouraged from using any social media to establish non-professional interaction with students. Doing so places the employee at risk. Instances of inappropriate conduct shall be investigated and handled according to the Employee Code of Conduct and Progressive Discipline Procedures.
14. The West Virginia Department of Education can only monitor those e-mail accounts issues to the *access.k12.wv.us* server, which is administered by WVDE. Students should only use their *access.k12.wv.us* email account while in school. All full-time and part-time employees are issued a *kcs.kana.k12.wv.us* email account through the Department of Information Systems. They may also apply for a WVDE *access.k12.wv.us* account. There is no presumption of privacy regarding these accounts, and either account may be closed or suspended for violation of acceptable use.
15. Personal technology devices cannot be added to the school, district or state network without prior permission from the Department of Technology or Department of Information Systems.

#### INTERNET – WEB PUBLISHING

1. Kanawha County Schools recognizes the educational benefits of publishing information on the Internet by school personnel and students. The West Virginia Department of Education established *Web Publishing Guidelines* in West Virginia Department of Education Policy 2460, Section 10. Kanawha County Schools personnel and students shall adhere to those guidelines when publishing information on the Internet, except to the extent that the County Technology Committee and/or School Technology Committee establish procedures that are more restrictive than Policy 2460.
2. The Director of Technology shall provide principals with a copy of West Virginia Department of Education Policy 2460, *Educational purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet*, and any procedures established by the County Technology Committee. Revisions to Policy 2460 or county procedures shall be provided upon release. The principal is responsible for distribution of Policy 2460 and county procedures to staff and students involved in web publishing.

#### References:

- CIPA - Children's Internet Protection Act - <http://www.fcc.gov/guides/childrens-internet-protection-act>
- COPPA - Children's Online Privacy Protection Act - <http://www.ftc.gov/ogc/coppa1.htm>
- KCS Administrative Regulation J33A - [http://kcs.kana.k12.wv.us/KCS11/index.php/forms-a-documents/cat\\_view/28-policies/37-series-j-students](http://kcs.kana.k12.wv.us/KCS11/index.php/forms-a-documents/cat_view/28-policies/37-series-j-students)
- WVDE Policy 2460 - <http://wvde.state.wv.us/policies/>

#### KANAWHA COUNTY BOARD OF EDUCATION POLICY

##### Volunteers in the Schools

Series: C55

Reference: W.Va. Code §18-5-13

Issued: 06.17.2004

Revised: 01.20.2005

Revision Number: 1

55.01. **Policy.** It is the policy of the Board to promote and encourage school volunteers in order to expand and enhance parental

and community involvement with schools while maintaining an adequate level of safety and security in Kanawha County Schools. A school volunteer is defined as a non-paid person functioning within the policies of the Board who shall serve under the immediate supervision and direction of the professional staff of the district to whom he/she is assigned. Volunteers shall serve without compensation of any type or other benefits accorded to employees of the district.

55.02. **School Volunteers Shall be Approved by the Principal.** An individual who wishes to volunteer at a school shall be interviewed and approved by the principal prior to serving at the school. The principal's decision on whether to approve the volunteer candidate shall be based upon the best interests of the school. A rejected volunteer applicant may appeal the principal's decision to the Superintendent or designee whose decision shall be final. Prospective school volunteers, except a parent or legal guardian who is accompanying his or her child's class on a field trip or on another type of occasional extra-curricular activity, shall be interviewed by the principal and must complete all volunteer forms provided to schools including a volunteer enrollment form, a background investigation authorization and release and a volunteer release form.

55.03. **Criminal Background Investigation.** In order to protect the safety and security of children and school staff, volunteer applicants, except a parent or guardian who is accompanying his or her child's class on a field trip or on another type of occasional extra-curricular activity or a volunteer who will always be supervised by a professional educator and will never be left unsupervised while on school premises, must submit to a criminal background investigation using the person's name, date of birth, gender, race, Social Security number and fingerprints. All persons wishing to volunteer as an athletic coach or who will be tutoring or mentoring students, or who will otherwise be in the presence of students without being supervised by a professional educator, shall be required to submit to a criminal background check. In addition, Kanawha County Schools may elect to request a criminal background check on any person volunteering in the schools as may be deemed advisable, at its expense. A signature from the principal requesting the volunteer is required certifying that the applying volunteer has shown proof of identity. The school requesting the volunteer shall be responsible for the cost of the fingerprint check. The school may require the prospective volunteer to pay the cost of the fingerprint check or may make other arrangements for such payment... After the initial criminal background check, volunteers must report any subsequent criminal convictions to the principal. If an individual refuses to submit to the background investigation, that person shall be ineligible to be a volunteer in the Kanawha County Schools. This includes a refusal to submit to all or part of the background investigation. To provide consistency in the district in determining the appropriateness of individuals working with children, the Department of Human Resources will use the same guidelines currently in place for reviewing criminal conviction(s) or pending charge(s) for employees in determining if a volunteer candidate is accepted or rejected. Any person wishing to volunteer in the schools and who has been convicted of any criminal offense which constitutes a felony must be approved by the Board of Education prior to performing any volunteer activities.

55.04. **Training for Volunteers.** Before entering into any of the duties as a volunteer at a school, a prospective volunteer must receive appropriate training in sexual harassment prevention, cultural diversity, English as a second language and safety in the workplace. All volunteers are required to have sexual harassment prevention and cultural diversity training annually. All volunteers must also adhere to the requirements of the Drug Free Workplace Act of 1988 (41 U.S.C. §701 et seq.) Any person who wishes to volunteer as a coach for an athletic team must have received training from the West Virginia Secondary Schools Athletic Commission prior to volunteering.

55.05. **Volunteer Activities.** When a person is engaging in volunteer activities, the person must first sign in at the school office. The volunteer will be issued a volunteer badge, which the individual must wear in a prominent manner at all times when in the school. The individual will be escorted to the location in which he or she will volunteer. When finished with the volunteer activities, the person will be escorted back to the office and will sign out prior to leaving.

55.06. **Individuals Receiving a Stipend.** A volunteer is an individual who receives no payment for services. An individual who is to receive, or is receiving, a parent stipend or other remuneration is not a volunteer and must be hired and processed through the Human Resources Division.

55.07. **Incidental Adult Visitors.** This policy shall not apply to adults who visit a school but have no ongoing individualized interaction with a student or students, including, but not limited to, adults who have been invited to speak at a class or assembly, to judge academic competitions, to give a musical performance, or participate in a program, such as "Career Day."

## VERIFICATION – STUDENT AWARENESS SCHOOL YEAR 2016-2017

STUDENT BEHAVIOR, SERIES J25  
Kanawha County Board of Education Policy



I, \_\_\_\_\_,  
**Print Student Name**

(# \_\_\_\_\_ )  
**Print Student Number**

have read and/or have had read to me Kanawha County Board of Education Policy Series J25, Student Behavior, including the sections dealing with weapons and sexual harassment. I understand the consequences of violating this policy.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature of Student**

## **KANAWHA COUNTY SCHOOLS**



### **RECRUITING AND RETENTION OF TEACHERS**

Kanawha County Schools has a teaching environment that allows growth, encourages innovation, supports teamwork and fosters the belief that all students can achieve. We believe that the quality of teaching is the key to student success. Kanawha County Schools offers teachers:

- Support for teachers
- Safe places to work
- A school culture that expects success
- Better buildings for improved learning

We support new teachers through the New Teacher Induction & Mentoring Program. Kanawha has a teaching environment that allows growth, encourages innovation, and supports teamwork. Our teachers are often recognized as being among the best in West Virginia. We welcome certified teachers from other states and new teaching education graduates.

**Kanawha County Schools**  
200 Elizabeth Street  
Charleston, WV 25311  
304.348.7770 (Phone)  
<http://kcs.kana.k12.wv.us>  
EOE