
SECTION E: Support Services

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SECTION E: Support Services
(continued)

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SUPPORT SERVICES

The non-instructional operations of the school division are an important component of the educational process and support the instructional program.

The New Kent County School Board provides support services necessary for the efficient and cost-effective operation of its schools.

Adopted: July 1, 1998
Revised: August 3, 2009
Reviewed: January 7, 2013 – no changes
Revised: June 17, 2013
Revised: April 24, 2018

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-79, 22.1-253.13:2.

Cross Refs.: EC Building and Grounds Management and Maintenance

SCHOOL CRISIS, EMERGENCY MANAGEMENT, AND MEDICAL EMERGENCY RESPONSE PLAN

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

The School Board designates the Superintendent as emergency manager.

Each school annually conducts school safety audits as defined below. The results of such school safety audits are made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or that officer's designee. Each school maintains a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and makes a copy of such report available for review upon written request.

Each school submits a copy of its school safety audit to the Superintendent. The Superintendent collates and submits all such school safety audits, in the prescribed format and manner of submission, to the Virginia Center for School and Campus Safety and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits.

The Superintendent establishes a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards, and judicial and public safety personnel. The school safety audit committee reviews the completed school safety audits and submits any plans, as needed, for improving school safety to the Superintendent for submission to the School Board.

“School crisis, emergency management and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions, bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school

property or at school activities; incidents involving acts of terrorism and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan includes a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, as well as current contact information for both.

“School safety audit” means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses will include recommendations for structural adjustments, changes in school safety procedures, and revisions to the School Board’s standards for student conduct.

Each school has contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.

In addition, the school administration ensures that the school has:

1. written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy JHCD Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year.
2. space for the proper care of students who become ill;
3. a written procedure, in accordance with guidelines established by the School Board for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
4. written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

Revised: May 1, 2000
Revised: November 5, 2001
Revised: September 4, 2002
Revised: September 3, 2003
Revised: August 2, 2004
Revised: August 7, 2006
Revised: August 6, 2007
Revised: August 3, 2009
Revised: August 6, 2012
Revised: June 17, 2013
Revised: July 7, 2014
Revised: April 24, 2018

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.3, 22.1-279.8.

Acts 2006, c. 164.

8 VAC 20-131-260.

Cross Refs: CLA Reporting Acts of Violence and Substance Abuse
 EBAA Reporting of Hazards
 EBBA Emergency First Aid, CPR and AED Certified Personnel
 EBCB Safety Drills
 EEAB School Bus Scheduling and Routing
 GBEB Staff Weapons in School
 JFC Student Conduct
 JFC-R Standards of Student Conduct
 JFCD Weapons in School
 JFCE Gang Activity or Association
 JHCD Administering Medicines to Students
 JHH Suicide Prevention
 KK School Visitors

NEW KENT PUBLIC SCHOOLS' VIDEO SURVEILLANCE POLICY

The board authorizes the use of video cameras on school property to ensure the health, welfare, and safety of all staff, students, and visitors to school property, and to safeguard school facilities and equipment.

The school shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on school property.

Students or staff in violation of board policies, administrative regulations, and building rules, or law shall be subject to appropriate disciplinary action. Others may be referred to law-enforcement agencies.

Video recordings may become a part of a student's educational record or a staff member's personnel record. The division shall comply with all applicable state and federal laws related to record maintenance and retention.

Adopted: May 7, 2001
Revised: June 7, 2010
Revised: January 1, 2013
Revised: April 24, 2018

Protocol for Security Camera Video Review

The New Kent County School Board has approved the following guidelines for review of electronic security camera data. The list is inclusive of those administrators, law enforcement officials, and selected agency personnel who have either statutory or administrative authority to ensure the safety and security of school personnel, students, and property.

Guidelines for School Administrators

Access to camera data is granted solely to building principals, assistant principals, and authorized central office administrators on a “need to know” basis. Only building principals and assistant principals will be issued password access, and will be available to provide other authorized personnel access for review through their password-protected access.

Building principals will review security camera data on an “as needed” basis for the following purposes:

- Disciplinary concerns (including bullying)
- Safety and security concerns
- Supervision and monitoring of any groups, including external organizations, approved for community use of buildings
- Investigations of vandalism, theft, or trespassing
- Any alleged violations of the Code of Virginia which building administrators are obligated to report to local law enforcement personnel

Guidelines for Law Enforcement & Selected Agency Personnel

In certain circumstances where possible violations of the Code of Virginia are under investigation, or where the safety and security of school personnel, students, and/or visitors (including parents) are at risk, the following personnel are authorized to review relevant security camera data to properly carry out their responsibilities:

- Law enforcement officials
- School Resource Officers
- Child Protective Service (CPS) staff from the Department of Social Services
- Mental Health Personnel (e.g. where evaluating a child’s potential danger to himself or others is being reviewed)

In all instances, a review of the security camera data must be:

- Based on a “need-to-know”
- Restricted to a certain period of time based on the allegation under investigation
- Conducted in collaboration with one of the building administrators

The content of the electronic record remains the exclusive property of the New Kent County Public Schools, and may be released to law enforcement officials or authorized agency personnel (e.g., Child Protective Services staff) only as permitted by law and/or by subpoena from a Court of competent jurisdiction.

Guidelines for Restricted Parent Access

While parents of students may be permitted to view video footage of their children, parents may not view video footage that involves the activities of other children. The exception is that children who are in the background, and are not involved in the incident in question, are considered “set dressing” and may be included in the video being viewed. In the case where there is more than one student that is the focus of the video, the school may provide parents of those students access to the video. The school may not give a copy of the video to such parents without the consent of the other students’ parents.

Video and digital recordings will be retained for 30 calendar days after initial recording, then reused or destroyed if not required to support known investigations or litigation. Video recordings remain the property of New Kent County Public Schools and may only be reproduced with authorization of the school principal or designee, a member of the Division Leadership Team or Division of Pupil Transportation, and then only in accordance with the law and applicable School Board policies and other directives. Disposal and destruction of recordings used in known investigations or litigation shall conform to records management requirements set forth by the Library of Virginia.

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| Adopted: | November 7, 2011 |
| NKSB Review: | January 7, 2013 |
| Revised: | April 24, 2018 |

File: EBA

BUILDINGS AND GROUNDS INSPECTION

Policy deleted via February 2018 VSBA Policy Updates to avoid
duplication of Policies EB & EC

REPORTING OF HAZARDS

Any employee who discovers a dangerous condition should report the condition immediately to the employee's supervisor, the Superintendent, or the superintendent's designee.

The Superintendent has designated the school nurses to evaluate and label toxicity of all art materials used in the division in accordance with criteria established by the Virginia Department of Education. All materials which met the criteria as toxic shall be so labeled. Such materials are not used in kindergarten through grade 5.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: June 2, 2003
Revised: August 3, 2009
Revised: November 19, 2012
Revised: May 19, 2014

Legal Refs.: Code of Virginia, 1950, as amended, section 22.1-274.1

8 VAC 20-530-10 et seq.

REPORTING OF HAZARDS (REGULATION)

The personal safety and welfare of our employees, as well as the general public, is a primary and continuing concern of the New Kent County Public Schools.

It is our goal to provide every employee a place of employment free from recognized hazards which are a potential cause for serious physical harm or health impairment. Every reasonable effort will be made to provide and maintain a safe and healthy work place, safe equipment and proper materials, and to establish and to insist upon safe methods and practices at all times.

TO ACCOMPLISH OUR GOAL,

MANAGEMENT WILL:

- Implement an accident prevention program;
- Provide a work environment where identified occupational hazards are controlled when elimination is not feasible;
- Cooperate with government and labor to optimize employee safety and health.

SUPERINTENDENTS, PRINCIPALS, DEPARTMENT HEADS AND SUPERVISORS WILL:

- Be responsible and accountable for a superior level of employee protection and performance.
- Institute work practices which reflect the safest, most efficient methods available for accomplishing the required tasks; and
- Educate and train employees regarding “on” and “off-the-job” hazards.

ALL EMPLOYEES WILL:

- Perform their jobs in the safest and healthiest manner prescribed;
- Be expected to conduct themselves in a way that enhances their personal safety and that of their fellow employees;
- Operate all equipment associated with the performance of their duties in accordance with the manufacturer’s specifications;
- Keep their work areas free of hazardous conditions;
- Report all malfunctioning equipment or other hazardous situations to their supervisor; and
- Cooperate and contribute toward the overall success of the safety program.

NKSB Review: November 19, 2012

POSSIBLE EXPOSURE TO VIRAL INFECTIONS

Upon notification by a School Board employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the Superintendent shall contact the local health director who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure.

The Superintendent shall share these recommendations with the School Board employee.

The Superintendent and the School Board employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in Va. Code § 32.1-35.

Whenever any School Board employee is directly exposed to body fluids of any person in a manner which may, according to the current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the School Board employee who was exposed. If the person whose blood specimen is sought for testing is a minor, the parent, guardian or person standing in loco parentis of such minor shall be notified prior to initiating such testing. In other than emergency situations, it shall be the responsibility of the School Board employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

If the person whose blood specimen is sought for testing is a minor, and that minor refuses to provide such specimen, consent for obtaining such specimen shall be obtained from the parent, guardian, or person standing in loco parentis of such minor prior to initiating such testing. If the parent, or guardian or person standing in loco parentis withholds such consent, or is not reasonably available, the person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided or, in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

Whenever any person is directly exposed to the body fluids of a School Board employee in a manner that may, according to the then current guidelines of the Centers for Disease Control and Prevention, transmit human immunodeficiency virus or hepatitis B or C viruses, the School Board employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. The School Board employee shall also be deemed to have consented to the release of such test results to the person.

Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition the general district court of the county or city in which the person whose specimen is sought resides or resided, or in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his designee prior to entering any testing order. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Adopted: July 1, 1998
Revised: September 3, 2003
Revised: November 3, 2008
NKSB Review: January 7, 2013 – no changes
Revised: May 19, 2014
Revised: July 13, 2015

Legal Refs: Code of Virginia, 1950 as amended, §§ 22.1-271.3, 32.1-45.1.

Cross Refs: EBBB Personnel Training-Viral Infections
GBE Staff Health
JHCC Communicable Diseases
JHCCA Blood-Borne Contagious or Infectious Diseases

THREAT ASSESSMENT TEAMS

The Superintendent will establish a threat assessment team for each school. Teams may serve one or more schools as determined by the Superintendent. The teams will assess and intervene with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Virginia Center for School and Campus Safety including procedures for referrals to community services boards or health care providers for evaluation or treatment when appropriate.

Each team will include persons with expertise in counseling, instruction, school administration and law enforcement. Each team will

- provide guidance to students, faculty and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school or self;
- identify members of the school community to whom threatening behavior should be reported; and
- implement policies adopted by the School Board.

A principal who has received information that a juvenile is a suspect in or has been charged with certain violations of law pursuant to Va. Code § 16.1-301 may provide such information to a threat assessment team. No member of a threat assessment team may disclose any such information or use such information for any purpose other than evaluating threats to students and school personnel.

Upon a preliminary determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team shall immediately report its determination to the Superintendent or Superintendent's designee. The Superintendent or Superintendent's designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this policy precludes school division personnel from acting immediately to address an imminent threat.

Upon a preliminary determination by the threat assessment team that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or need for assistance, a threat assessment team may obtain criminal history record information, as provided in Va. Code §§ 19.2-389 and 19.2-389.1, and health records, as provided in Va. Code § 32.1-127.1:03. No member of a threat assessment team shall redisclose any criminal history record information or health information obtained pursuant to this policy or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

Each threat assessment team will report quantitative data on its activities according to guidance developed by the Department of Criminal Justice Services.

The Superintendent may establish a committee to oversee the threat assessment teams or may assign the oversight of the teams to an existing committee. If such a committee is established, it will include individuals with expertise in human resources, education, school administration, mental health and law enforcement.

Adopted: June 17, 2013
Revised: July 7, 2014
Revised: July 18, 2016

Legal Refs.: Code of Virginia, 1950, as amended, §§ 16.1-301, 22.1-79.4.

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| Cross Refs.: | CLA | Reporting Acts of Violence and Substance Abuse |
| | EB | School Crisis, Emergency Management and Medical Emergency Response Plan |
| | JFC | Student Conduct |
| | JFCD | Weapons in School |
| | JFC-R | Standards of Student Conduct |
| | JFCI | Substance Abuse-Student Assistance Program |
| | JGD/JGE | Student Suspension/Expulsion |
| | JDGA | Disciplining Students with Disabilities |
| | JFCE | Gang Activity or Association |
| | JFCC | Student Conduct on School Buses |
| | JHH | Suicide Prevention |
| | JM | Restraint and Seclusion of Students |
| | JO | Student Records |
| | KNAJ | Relations with Law Enforcement Authorities |

EMERGENCY FIRST AID, CPR AND AED CERTIFIED PERSONNEL

In school buildings with an instructional and administrative staff of ten or more, there shall be at least three employees who have current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED). If one or more students diagnosed as having diabetes attend such school, there shall be a least two employees who have been trained in the administration of insulin and glucagons.

In school building with an instructional and administrative staff of fewer than ten, there shall be at least two employees who have current certification or training in emergency first aid, CPR and the use of an AED. If one or more students diagnosed as having diabetes attend such school, there shall be at least one employee who has been trained in the administration of insulin and glucagons.

When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration or insulin or administer glucagons. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagons.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 2, 2004
Revised: May 18, 2009
Revised: August 6, 2012
Revised: June 17, 2013

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-274, 22.1-274.4.

Cross Ref.: EB School Crisis, Emergency Management, and Medical Emergency
Response Plan
JHCD Administering Medicines to Students

PERSONNEL TRAINING-VIRAL INFECTIONS

All school personnel having direct contact with students shall receive appropriate training in the etiology, prevention, transmission modes, and effects of blood-borne pathogens, specifically, hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia Occupational Safety and Health Program within the Department of Labor and Industry.

Adopted: July 1, 1998
NKSB Review: January 7, 2013 – no changes
Revised: August 7, 2017

Legal Refs: Code of Virginia, section 22.1-271.3

Cross Refs: EBAB Reporting of Possible Exposure to Viral Infections
JHCC Communicable Diseases
JHCCA Blood-Borne Contagious or Infectious Diseases

SAFETY DRILLS

Fire Drills

Each school holds a fire drill at least twice during the first 20 school days of each session. Each school holds at least two additional fire drills during the remainder of the school session. Evacuation routes for students are posted in each room. No fire drills are conducted during periods of mandatory testing required by the Board of Education.

Lock-Down Drills

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

School Bus Emergency Drills

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

Tornado Drills

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

Adopted: July 1, 1998
Revised: August 7, 2006
Reviewed: January 7, 2013 – no changes
Revised: June 17, 2013
Revised: July 18, 2016
Revised: April 24, 2018

Legal Refs.: Code of Virginia, §§ 22.1-137, 22.1-137.1, 22.1-137.2, 22.1-184.

Acts 2006, c. 164.

8 VAC 20-131-260.

Cross Refs.: EB School Crisis, Emergency Management and Medical Emergency Response Plan

SCHOOL CLOSINGS

The Superintendent or his/her designee may order the closing, the delay in opening or the early dismissal of any or all schools in order to protect the safety and welfare of the students and staff.

Whenever schools are closed due to inclement weather or other emergency reasons, all extracurricular activities scheduled on that date shall be postponed or canceled, unless approved by the Superintendent.

Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract and division policy.

During adverse weather or emergency conditions, however, employees will follow guidelines related to work schedules. The guidelines may be reviewed by the School Board.

Adopted: July 1, 1998
Revised: August 3, 2009
Reviewed: November 19, 2012

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-98.

Cross Refs.: GAA Staff Time Schedules

BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE

The Superintendent has the general responsibility for the care, custody, and safekeeping of all school property. The principal of each school is responsible for the operation, supervision, care and maintenance of the school plant.

Each school maintains records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections is determined by the School Board in consultation with the local health and fire departments. In addition, the school administration equips all exit doors with panic hardware as required by the Uniform Statewide Building Code.

The school division maintains documentation of any pesticide application that includes the target pest, the formulation applied, and the specific location of the application.

- Adopted: July 1, 1998
- Revised: August 3, 2009
- Revised: July 12, 2010
- Revised: January 7, 2013
- Revised: July 1, 2015
- Revised: April 24, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79 (3), 22.1-132.2, 22.1-137, 22.1-293.D.

8 VAC 20-131-260.

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| Cross Refs.: | CF | School Building Administration |
| | EA | Support Services |
| | EB | School Crisis, Emergency Management and Medical Emergency Response Plan |
| | EBCB | Safety Drills |
| | FE | Playground Equipment |
| | IIBEA-R/GAB-R | Acceptable Computer System Use |
| | KF | Distribution of Information/Materials |
| | KG | Community Use of School Facilities |
| | KGB | Public Conduct on School Property |
| | KGC | Use of Tobacco and Electronic Cigarettes on School Premises |
| | KJ | Advertising in the Schools |
| | KL | Public Complaints |
| | KQ | Commercial, Promotional, and Corporate Sponsorships and Partnerships |

INVENTORY AND REPORTING OF LOSS OR DAMAGE

I. Inventories

The Superintendent shall devise an adequate system of inventory of school property to identify items for the purpose of insurance and to control loss of property.

The inventory shall include, but not be limited to the following: buildings, movable equipment, vehicles, and all other items of significant value. Each school shall keep a complete inventory of all equipment, listing make, source, date of purchase, model, serial number, and other identifying data.

II. Reporting Losses

All loss of or damage to school property shall be promptly reported to the Superintendent.

Adopted: February 1, 1999
Revised: August 3, 2009
NKSB Review: January 7, 2013 – no changes
Revised: May 19, 2014

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: EC Buildings and Grounds Management and Maintenance
ECAB Vandalism
EI Insurance Management
JFC-R Standards of Student Conduct

VANDALISM

The School Board urges staff, students and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

The School Board may institute action and recover from one or both parents or guardians of any minor living with such parents or guardians up to \$2500 for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor.

In addition, a student who damages or destroys public property will be subject to whatever disciplinary action is deemed necessary and advisable by the school principal.

Adopted: July 1, 1998
Revised: June 3, 2002
Revised: August 2, 2004
Revised: November 3, 2008
Revised: August 3, 2009
Revised: January 7, 2013
Revised: May 19, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-78, 22.1-253.13:7.C.3.

Cross Refs.: ECA Inventory and Replacement of Loss or Damage
IIBEA/GAB Acceptable Computer System Use
JFC-R Standards of Student Conduct

BOMB THREATS

Purpose

To establish procedures for handling bomb threats.

Procedures

The following procedures shall be followed whenever a telephoned bomb threat is received at New Kent County School.

WARNING: Because detonating devices are activated by radio waves, use of two-way radios should be avoided within 300 feet of the building or suspected location of the explosive device.

A. Person receiving the Call:

Have someone else also listen to the call if possible.

Take notes for the policy investigation. Record caller's **exact** words.

Attempt to determine the caller's gender, accent or other distinguishing speech characteristics.

Listen for background noises that may help in identifying the location of the caller.

Ask caller for the following information:

- a. Time of detonation.
- b. Location of the explosive device.
- c. Type of explosive device.
- d. Physical appearance of the device.
- e. Reason device was placed at the school
- f. Caller's name.

If your phone is direct service, attempt to identify the number from which the person is calling by the following procedure when the caller hangs up (this procedure will not work on some telephone systems):

- a. Hang up. Immediately pick up the same phone and push the * (star) button followed by the numbers 5 and 7, and then hang up the phone.

This will flag the calling number at the telephone exchange. Note the **exact** time this is done. The police will retrieve the information later.

- b. When police arrive, inform the investigating policy officer that you completed the above procedure and give him or her the number of the phone you received the call on and the time you performed the procedure. (Note: this is not applicable to most phone services.)

Notify the principal or designee, the police department on 911, the area office, and school security of the threat.

B. Principal or Designee

Ensure proper notifications are made.

The building will be evacuated.

If evacuation is necessary, conduct evacuation using fire drill procedures; any requirement for prior notification to school security may be omitted. Students should be evacuated to a location at least 300 feet from the building.

4. If events warrant, request a building search. The search should be supervised by policy, but school personnel should provide any assistance requested.

NKSB Review: January 7, 2013 – no changes

ENERGY CONSERVATION MANAGEMENT

The New Kent County School Board is committed to taking every effort to conserve energy and natural resources while exercising sound financial management.

The implementation of this policy is the joint responsibility of the School Board, administrators, teachers, support personnel and students.

Building administrators will be accountable for energy conservation management at their sites supported by regulations and a division level energy conservation program. Judicious use of the various energy systems at each building will be the joint responsibility of the principal, custodial and maintenance staff to ensure that energy efficiency is maximized on a daily basis.

To ensure the overall success of the energy management program, the following critical strategies are adopted:

1. Every student and employee will be expected to contribute to energy efficiency in our division. Every person will be expected to be an energy saver as well as an energy consumer.
2. Effective immediately, except when necessary for safety reasons, all unnecessary lighting in unoccupied areas will be turned off and all lights will be turned off when students and teachers leave school. Custodians will turn on lights only in the areas in which they are working.
3. Energy management of each school will be made a part of the principal's evaluation and a component of the monthly and annual custodial contract evaluations.
4. The Superintendent shall implement appropriate regulations within sixty (60) days of the adoption of the energy policy.

Adopted: January 18, 2012

ENERGY CONSERVATION MANAGEMENT – REGULATIONS

Responsibilities:

- The Board authorizes the Superintendent to hire a part-time Energy Conservation Specialist.
- The Energy Specialist is responsible for either directly or indirectly making adjustments to the Division's Energy Management Systems, including temperature settings and run times for Heating, Ventilation and Air Conditioning (HVAC) and other controlled equipment.
- The Energy Specialist performs routine audits of all facilities and communicates the audit results to the appropriate personnel, including building administrators and the Director of Facilities.
- The Energy Specialist shall provide regular reports to the Superintendent, Finance Director, Facilities Director and building administrators indicating energy conservation performance results.
- All staff members are responsible for implementing the regulations during the time that they are on the premises of any School Board building.
- Control of commons areas such as hallways, cafeterias, and auditoriums is placed with the custodial and maintenance staff.
- Since the custodian is typically the last person to leave a building in the evening, they are responsible for verification of the night time shutdown.
- Each building administrator is responsible for the total energy usage of their assigned building.
- The Energy Conservation Management Program of the New Kent County Public Schools shall be implemented by developing and implementing a preventative maintenance and monitoring plan for its facilities and systems, including HVAC, building envelope and moisture management.

General:

- Classroom doors shall remain closed when the HVAC system is operating. Ensure doors between conditioned space and non-conditioned space remain closed at all times (i.e. between hallways or gym areas).
- All exhaust fans should be turned off when the buildings are not in occupied mode.
- All office machines (copy machines, laminating equipment, etc.) shall be switched off each night and during unoccupied times, Fax machines may remain operational.
- All computers should be turned off each night. This includes the monitor, local printer, and speakers. Network equipment is excluded.
- All capable PC's should be programmed for the "energy saver" mode using the power management feature. If network constraints restrict this for the PC, ensure the monitor "sleeps" after 10- minutes of inactivity.

Cooling Season Occupied Set Points: 74F – 78F

Unoccupied Set Point: 85F

Heating Season Occupied Set Points: 68F – 72F

Unoccupied Set Point: 55F

Set Points are in accordance with ASHRAE 55 "Thermal Conditions for Human Occupancy"

Air Conditioning Equipment:

- Occupied temperature settings shall **NOT** be set below 74F.
- During the unoccupied times, the air conditioning equipment shall be set to night set back. The unoccupied period begins when the students leave the area at the end of the day. It is anticipated that the temperature of the classroom will be maintained long enough to afford comfort for the period staff remains in the classroom after the students have left. Should a facility use request be approved the unoccupied time will begin when the event ends. Air conditioning unoccupied times may be adjusted (depending on weather) to ensure occupant comfort.
- Air conditioning start times may be adjusted (depending on weather) to ensure classroom comfort when instruction begins.
- Ensure outside air dampers are closed during unoccupied times.

- Ceiling fans should be operated in all areas that have them.
- Relative humidity levels shall not exceed 60% for any 24 hour period. Adjustment to the night set back times will take place should relative humidity level trends exceed 60% for extended periods of time.
- Air conditioning occupied mode should not be utilized in facilities during the summer months unless facilities are being used for summer school, or year-round school, or relative humidity exceeds 60%. Air conditioning may be used by exception only or in those facilities that are involved in team-cleaning.
- Where cross-ventilation is available during periods of mild weather, shut down HVAC equipment and adjust temperature with windows and doors. Cross –ventilation is defined as having windows and/or doors to the outside on each side of the room. This needs to be coordinated through the energy Specialist and the maintenance staff.
- Ensure dry food storage areas are maintained within code requirements. Typically, this is 55F -75F temperature and 35%-60% relative humidity.

Heating Equipment:

- Occupied temperature settings shall **NOT** be above 72F.
- The unoccupied temperature setting shall be 55F (i.e. setback). This may be adjusted to a 60F setting during extreme weather.
- The unoccupied time shall begin when the students leave the area.
- During the spring and fall when there is not threat of freezing, all steam and forced air heating systems should be switched off during unoccupied times. Hot water heating systems should be switched off using the appropriate loop pumps. When investigating this option fresh air standards must be maintained.
- Ensure all domestic hot water systems are set no higher than 120F or 140F for cafeteria service (with dishwasher booster). Hot water systems must meet Health Department requirements in the cafeteria.
- Ensure all domestic hot water re-circulating pumps are switched off during unoccupied times. For those pumps not tied to DDC systems switches will be labeled so building custodial staff can turn them off at night and on in the morning.
- For heat pumps, ensure a maximum 6F dead-band between heating and cooling modes.
- Heating oil and propane levels should be physically measured and recorded on the following minimum intervals: 1) recurring scheduled monthly date, 2) immediately before each delivery, or 3) immediately after each delivery.

Lighting

- All unnecessary lighting in unoccupied areas will be turned **off**. Staff should make certain that lights are turned off when leaving the classroom or office when empty. Utilize natural lighting when appropriate.
- All outside lights shall be **off** during daylight hours.
- Gym lights should not be left on unless gym is being utilized.
- All lights will be turned **off** when students and staff leave for the day. Custodians will turn on lights only in the areas in which they are working.
- Refrain from turning lights on unless definitely needed. Remember that lights not only consume electricity, but also give off heat that places additional load on the air conditioning equipment and thereby increases the use of electricity necessary to cool the room.

Water:

- Ensure all plumbing and/or intrusion (i.e. roof) leaks are reported and repaired immediately.
- Grounds watering should only be done between 4am-10am. Do not water during the heat of the day, typically between 10am-8pm.
- When spraying irrigating, ensure the water does not directly hit the building.

Adopted: January 18, 2012

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

To ensure the security and efficient use of school property, the Superintendent shall develop regulations governing the use of all school-owned property. The regulation shall address the use of school division facilities, supplies, materials and equipment by employees and outside organization.

Employees are prohibited from utilizing school property for personal use or gain.

Adopted: July 1, 1998
Revised: August 3, 2009
Revised: January 7, 2013
Revised: May 19, 2014
Revised: July 1, 2015
Revised: April 24, 2018

Legal Ref.: Code of Virginia, §§ 22.1-70, 22.1- 131, 22.1-132.

Cross Refs.: DN Disposal of Surplus Items
GBEC/JFCH Tobacco-Free School for Staff and Students
IIBEA/GAB Acceptable Computer System Use
KF Distribution of Information/Materials
KG Community Use of School Facilities
KGA Sales and Solicitations in Schools
KGC Use of Tobacco and Electronic Cigarettes on School Premises

REGULATIONS CONCERNING USE OF SCHOOL PROPERTY FOR OTHER THAN PUBLIC SCHOOL PURPOSES

Non-profit, charitable, educational, service and civic organizations may use specific items of school property subject to the following restrictions.

1. The use must be for a specific function or activity and will not exceed 48 hours.
2. The property must be used for the benefit of the general public.
3. The property must not be needed for school activities during the period of use.
4. The property must not be used to promote the financial interest of any individual or commercial group.
5. The custodian of the property must be satisfied that the using party will be responsible for installation or set-up, competent use and timely return.
6. The applicant is responsible for coming to the appropriate location to load, transport and unload the property.
7. Requests for use of the property should be submitted in writing on a form prepared by the superintendent. Such form shall include a provision indemnifying the School Board, its agents and its employees from all claims arising out of its use. Approval or denial of the request will be made by the principal, or in the case of property not in a school by the superintendent.
8. All property, equipment, and materials owned by New Kent County Public Schools shall only be used for the purpose of official, school business. Granting the use of a School Board facility to an outside group is for the facility only and does not include the use of equipment and material.
9. Employees may not use any property, equipment, or materials owned by New Kent County Public Schools for reasons outside of their official duties as a School Board employee. If NKCPS equipment or materials must be removed from the property for an employee to perform his/her official duties, then permission must be granted by the principal, supervising director, or superintendent.

STUDENT TRANSPORTATION SERVICES

The School Board provides for the transportation of students as required by state and federal laws and regulations.

The superintendent collaborates with the local social services agency to develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged and funded for the duration of time in foster care. The procedures ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S. C. § 675(4)(A) and ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their school of origin, the school division will provide transportation to the school of origin if the local social services agency agrees to reimburse the local school division for the cost of such transportation or the school division and the local social services agency agree to share the cost of such transportation.

Students may be suspended from using school transportation services for violations of the Student Code of Conduct or when the student endangers the health, safety or welfare of other riders and driver. In such cases the parent or guardian is responsible for transporting the student to school.

Adopted: July 1, 1998
 Revised: September 4, 2002
 Revised: August 3, 2009
 Revised: September 10, 2012
 Revised: May 19, 2014
 Revised: April 28, 2017
 Revised: August 7, 2017

Legal Ref.: 20 U.S.C. § 6312.

Code of Virginia, sections 22.1-176, 22.1-78, 22.1-221, 22.1-254.

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|-------------|-------|--|
| Cross Ref.: | EEAB | School Bus Scheduling and Routing |
| | EEAC | School Bus Safety Program |
| | IICA | Field Trips |
| | JCA | Transfer Request by Student Victims of Crime |
| | JEC-R | School Admission |
| | JECA | Admission of Homeless Children |
| | JECB | Admission of Nonpublic Students for Part-Time Enrollment |
| | JEG | Exclusions and Exemptions from School Attendance |
| | JFCC | Student Conduct on School Buses |
| | JFC-R | Standards of Student Conduct |
| | LC-E | Charter School Application |

STUDENT TRANSPORTATION SERVICES

Daily school bus service shall be provided for all elementary pupils living in excess of one mile from school and for middle and high school pupils living in excess of one and one-half miles from school. Students eligible for transportation may be required to walk to designated bus stops a distance of no more than .3 miles for elementary students and no more than .5 miles for secondary students. Children living within the mileage limitations shall be transported if, in the judgment of the Superintendent, hazards make walking to school unsafe.

Transportation will be provided for pupils in the special education program. Subject to approval by the School Board, parents may provide transportation for their own children in the special education program and be reimbursed at the current mileage rate for two round trips per day if the Transportation Department is unable to meet the transportation needs of the student in the special education program. School bus routes will be established by the Transportation Director. Safety of the students will be the primary factor in establishing such routes.

The use of school buses for field trips will be permitted, but field trips may not interfere with the routine operation of regular school bus runs.

School buses may be used for non-school purposes as provided for in the Code of Virginia.

A schedule for the replacement of school buses on a continuing basis will be developed and implemented as required by regulations of the Virginia Department of Education.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 3, 2009
NKSB Review: September 10, 2012

Legal Ref.: Code of Virginia, sections 22.1-176, 22.1-78, 22.1-221, 22.1-254.

Cross Ref.: EEAC School Bus Safety Program
IICA Field Trips
JCA Transfer Request by Student Victims of Crime
JCC School Choice for Students Enrolled in Schools Identified for Improvement

| | |
|-------|--|
| JEC-R | School Admission |
| JECA | Admission of Homeless Children |
| JECB | Admission of Nonpublic Students for Part-Time Enrollment |
| JEG | Exclusions and Exemptions from School Attendance |
| JFCC | Student Conduct on School Buses |
| JFC-R | Standards of Student Conduct |
| LC-E | Charter School Application |

SCHOOL BUS SCHEDULING AND ROUTING

The operation of school buses is scheduled to maximize safety and efficiency.

School bus routes, school sites, and safety of students at designated school bus stops are reviewed at least once each year and as changes occur. Routes are reviewed for safety hazards, fuel conservation, and to assure the most efficient use of buses. School administrators evaluate the safety of pupils at bus stops periodically and, at the request of the School Board, report the results annually to the School Board.

A written vehicular and pedestrian traffic control plan for each school is reviewed annually for safety hazards. All new school site plans include provisions that promote vehicular and pedestrian safety.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 3, 2009
Revised: November 19, 2012
Revised: May 6, 2013
Revised: April 24, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78.

8 VAC 20-70-150.

8 VAC 20-70-160

Cross Refs.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan

SCHOOL BUS SAFETY PROGRAM

All buses and other vehicles owned and operated by the school division are inspected for safety in accordance with the regulations prescribed by the Department of Education.

All accidents regardless of the amount of damage involved are reported to the Transportation Director, who will communicate accidents to the Executive Director of Administration and the Superintendent.

Crashes involving school buses resulting in property damage of \$1,500 or more or personal injury are reported to the Virginia Department of Education at least once per month. The superintendent or superintendent's designee notifies the Virginia Department of Education of any school bus crash involving serious injuries, requiring professional medical treatment, or death within the next working day after the crash.

Maintenance personnel are on twenty-four hour maintenance emergency call. For this reason, maintenance personnel are allowed to drive to and from work in county vehicles. County vehicles are not to make unauthorized stops in route to or from work and no unauthorized stops for personal reasons shall be permitted. All vehicles are to be parked at an approved parking location when away from school property, and the supervisor shall be responsible for keeping a list of all such approved parking locations. Parking locations may be changed with approval of the supervisor. All emergency and service calls shall be logged in and approved by the supervisor so that the location of all school maintenance vehicles may be ascertained. Emergency service calls shall be cleared through the supervisor.

No person uses any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this policy prohibits the use of two-way radio devices or wireless telecommunications devices that are used hands free to allow live communication between the driver and school or public safety officials.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: November 3, 2008
Revised: August 3, 2009
Revised: September 10, 2012
Revised: May 6, 2013
Revised: August 7, 2017

Legal Ref.: Code of Virginia, 1950, as amended, § 46.2-919.1.
8 VAC 20-70-130.
8 VAC 20-70-140.

SPECIAL USE OF SCHOOL BUSES

The use of school buses for purposes other than transporting children to school for the regular school hours and for extracurricular activities is permitted with prior approval of the Superintendent and in accordance with regulations pertaining to field trips. The Field Trip application form is attached. Complete field trip policy, procedures and forms are contained in policy IICA.

In addition, the School Board may enter into agreements with its appropriating body, or any state agency or any federal agency established or identified pursuant to 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such body or agency for public purposes, including transportation for the elderly. Each such agreement shall provide for reimbursing the School Board in full for the proportionate share of any and all cost, both fixed and variable, of such buses incurred by such School Board attributable to the use of such buses pursuant to such agreement. The appropriating body, or state or federal agency, shall indemnify and hold harmless the School Board from any and all liability of the School Board by virtue of use of such buses pursuant to an agreement.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 3, 2009
Revised: January 7, 2013

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1- 176; 22.1-182.

Cross Ref.: IICA Field Trips

New Kent County Public Schools Field Trip Application

General Information

School: _____ Date Submitted: _____

Teacher/Sponsor(s): _____

Date of Trip: _____ Departure and Return Times: _____

Destination: _____

Address: _____

Grade/Class/Group: _____

Students: _____ # Teachers: _____ # Volunteer Chaperones: _____ # Total Adults: _____

Purpose of Trip: _____

Lunch Plans: _____

Transportation and Fees

Transportation Mode (NKCPS/Charter): _____

If Charter, Name of Company: _____

Approximate Round Trip Miles: _____

Additional Stops: _____

Fee Per Student: _____ Fee Includes: _____

Additional Information

- Please Attach:
1. Statement of specific instructional objectives and related SOLs
 2. Description of specific student learning activities before, during, and after trip
 3. Trip Itinerary

Approvals

Teacher/Sponsor Signature *Date*

Principal's Signature *Date*

Director of Transportation *Date*

Superintendent or Designee *Date*

This application must be submitted to the principal no less than **4 weeks** prior to the date of the trip. Please refer to NKCPS Field Trip Regulations, IICA-R, for additional information.

Revised: 6/2012

FOOD SERVICE MANAGEMENT

The Superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the Superintendent shall report to the School Board on the financial status of the division's food service operations.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 3, 2009
NKSB Review: October 1, 2012 – no changes
Revised: May 19, 2014

Legal Refs.: 42 U.S.C. § 1751 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

8 VAC 20-290-10

Cross Refs.: DI Financial Accounting and Reporting
EFB Free and Reduced Price Food Services
JHCF Student Wellness

FOOD SERVICE MANAGEMENT Regulations

Vending Machines

It is the responsibility of the building principal to ensure that drink and snack machines only operate after school hours. It is encouraged that a majority of items offered from vending machines meet the requirements of the Healthy Hunger-Free Kids Act of 2010.

Snacks

Snacks sold during the hours of cafeteria operation must contain the USDA Smart Snack in school standards that are mandated by federal regulations. Students will be encouraged to eat snacks only after completing their lunches.

Sale of Food by Organizations/Clubs

While the sale of candy and food items is recognized as a part of fund-raising activities for high school clubs and organizations, the sale of such is prohibited during school hours. All fundraising food items must be delivered after school hours.

NKSB Review: October 1, 2012
Revised: September 21, 2015

FREE AND REDUCED PRICE FOOD SERVICES

The New Kent County school division provides free and reduced-price breakfasts and lunches to students according to the terms of the National School Lunch Program and the National School Breakfast Program.

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals with milk free or at a reduced cost if state and federal resources for school food programs are available. The Superintendent or designee establishes rules and procedures as needed to implement this policy.

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

The division's policy with regard to situations in which a student who is eligible for a reduced-price meal does not have money on account or in hand to cover the portion of the cost of the meal at the time of service is stated in Policy JHCH School Meals and Snacks. Policy JHCH School Meals and Snacks is delivered to all households at the start of the school year and to households that transfer into the school division during the school year.

The students who participate in the free or reduced-cost meals with milk programs are not overtly identified, distinguished, or served differently than other students.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: August 3, 2009
Revised: October 1, 2012
Revised: January 7, 2015
Revised: September 21, 2015
Revised: April 28, 2017

Legal Refs.: 42 U.S.C. §§ 1758, 1772 and 1773.

7 C.F.R. §§ 210.9, 220.20, 245.5, 245.8.

Code of Virginia, 1950, as amended, § 22.1-207.3.

8 VAC 20-290-10

Cross Refs: JHCF Student Wellness
 JHCH School Meals and Snack

FOOD SANITATION PROGRAM

The personnel and the facilities used for food services in the school division are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated by the State Board of Health.

Adopted: July 1, 1998
Revised: May 7, 2007
Revised: August 3, 2009
NKSB Review: January 7, 2013 – no changes

Legal Ref.: Code of Virginia, 1950, as amended, § 35.1-1.

12 VAC 5-421-10 et seq

REPRODUCTION AND USE OF COPYRIGHTED MATERIALS

The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce, and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The Superintendent is responsible for promoting an understanding of the applicable law among staff members and students.

The New Kent School Board encourages its staff and students to enrich the educational experience by making proper use of supplementary materials. However, each staff member and student is responsible for complying with copyright law and with any regulations or procedures developed by the Superintendent. Any employee or student who is uncertain as to whether reproducing or using copyrighted materials complies with the division procedures or is permissible under law should contact the Executive Director of Curriculum and Instruction, who is responsible for coordinating this policy, at 966-9636, who will provide clarification and assist staff members and students in obtaining proper authorization to copy or use protected material when such authorization is required.

At no time is it necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time is it necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in a discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion.

Adopted: July 1, 1998
Revised: November 3, 2008
Revised: September 10, 2012
Revised: May 19, 2014

Legal Refs: 17 U.S.C. §§ 101 et seq.

Cross Ref: JFC-R Standards of Student Conduct
GAB/IIBEA Acceptable Computer System Use
GCPD Professional Staff Discipline

REGULATIONS GOVERNING REPRODUCTION OF COPYRIGHTED MATERIALS

Introduction

Teachers and administrators in New Kent County Public Schools desire to provide students with access to quality materials at the lowest cost possible. The copyright law does provide fair use limits for educators who need to use copyrighted works. This document represents the interpretation of the Copyright Law for New Kent County Public Schools (classified as nonprofit educational institutions). The best option is to plan in advance and to receive written permission from publishers to use copyrighted material. In seeking such permission the request should include:

- title, author(s) or editor(s), edition number
- exact amount (pages) of material to be used, preferably including a photocopy of the material involved
- number of copies to be made
- description of how material will be used, for what purpose and/or course and frequency of use if for more than one occasion
- type of duplication (photocopy, ditto, etc.)

Photocopying

- **Single Copy:**
Teachers preparing to teach a class may make or request to have made a single copy of:
 - a book chapter
 - an article from a newspaper or periodical
 - a short story, essay, or short poem
 - a chart, graph, diagram, cartoon, drawing, or picture from book, periodical, or newspaper.
- **Multiple Copies:**
Teachers desiring to duplicate a copy of a work for EACH student must:
 - include a notice of copyright with each copy AND
 - meet these three tests:
 1. **BREVITY TEST:**
 - For **POETRY**; a copy of a poem if less than 250 words and if printed on no more than two pages or, no more than 250 words if from a longer poem;
 - For **PROSE**; any complete story, essay or article under 2,500 words OR excerpts of not more than 1,000 words or 10% of the work;

- For SPECIAL, SHORTER WORKS, so designated because they contain illustrations (e.g. children's stories) may not be copied in their entirety even though they contain less than 2,500 words. Educators may NOT copy more than two published pages containing no more than 10% of the text.
 - For ILLUSTRATIONS; no more than one chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.
2. SPONTANEITY TEST: "Inspiration and decision to use the work" must occur so soon prior to classroom use that it would not be feasible for the teacher to write for and receive permission to duplicate the material. The teacher must request the copying and not as directed by an administrator.
 3. CUMULATIVE EFFECT TEST: Copies of the material must be for only one course in the school in which copies are made;
 - No more than one short poem, article, story, essay or two excerpts may be copied from the same author;
 - No more than three copies from the same collective work or periodical during one class term.
 - There must not be more than nine instances of such multiple copying for one course during one class term.

Prohibited Copying

Some uses are prohibited regardless of the otherwise permissible copying.

- Educators may not create through photocopying their own anthologies, compilations or collective works whether brought together in one collection or reproduced and used separately.
- Copying must NOT substitute for the purchase of books, periodicals, or reprints. THIS
- ESPECIALLY APPLIES TO THE DUPLICATION OF "CONSUMABLE" MATERIALS SUCH AS WORKBOOKS, TEST BOOKLETS, AND STANDARDIZED TESTS WHICH MAY NOT BE DUPLICATED.
- The teacher must not duplicate the same item from one term to another.

Music (See also: Audio Visual Materials - Audio Disc, Cassettes, Tape Recordings)

- Permissible Copying
 - Educators are permitted to make copies of music in an emergency defined as "replace purchased copies which for any reason are not available for an IMMINENT performance "AS LONG AS replacement copies are purchased later").

- For academic purposes other than performances, a teacher or researcher may duplicate a single copy of an "entire performable unit (section, movement, aria, etc.)" if that unit is unavailable except in a larger work and if it is out of print, as confirmed by the copyright proprietor. For other nonperformance educational purposes, multiple copies of no more than 10% of the whole work may be made as long as the excerpt does not comprise a performable unit. This multiple copying should not exceed one copy per student.
 - Printed copies of purchased music may be edited or simplified EXCEPT alterations or addition of lyrics.
 - A single copy of a sound recording of copyrighted music may be made for use in "constructing aural exercises or examinations"--THIS APPLIES TO THE COPYRIGHT OF THE MUSIC ITSELF AND NOT TO ANY COPYRIGHT THAT MAY EXIST IN THE SOUND RECORDING.
 - A single copy of a recording of performance(s) by students is permissible for evaluation or rehearsal purpose and may be retained by the teacher or educational institution.
- Prohibited Copying
 - "To create or replace or substitute for anthologies, compilations or collective works."
 - Copying from works intended to be "consumable" such as workbooks, exercises, standardized tests and answer sheets.
 - For performance except as above.

Photocopying by Library Media Staff

Copying is to take place ONLY at the specific request of users or other libraries. Under Section 108 of the Copyrights Act library employees are permitted to make a SINGLE copy of a work as long as the library receives no financial gain, and affixes notice of copyright on all duplicated works.

In addition to the above requirements, the library media center may make copies only under the following conditions:

- It may duplicate in facsimile form a published, copyrighted work that is damaged, deteriorating, lost or stolen if a reasonable effort determines no possibility for replacement.
- Recordings are to be shown to students no more than twice during the 10-day period . . . the second time for instructional reinforcement only.
- After the 10-day period the recordings may be viewed only by teachers.
- If several teachers request videotaping of the same program, duplicate copies are permitted. (ALL copies are subject to the same restrictions as the original).
- Off-air recordings may not be physically or electronically altered or combined with others to form anthologies, but do not have to be shown in their entirety.

- All copies of the recordings must include the copyright notice on the broadcast program as recorded.
- Schools may not build library collections of videotapes of television programs.

NKSB Review: September 10, 2012

REGULATIONS GOVERNING
COMPUTER SOFTWARE COPYRIGHT COMPLIANCE

In an effort to discourage violation of software copyright laws and to prevent illegal use of the computer system, staff shall follow the procedures listed below.

1. Division employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 and Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This section states "... it is not an infringement of the owner of a copy of computer programs to make or authorize the making of the copy or adaptation of that computer program provided
 - (a) That such a new copy of adaptation is created as an essential step in the utilization of the computer program in conjunction with the machine and that it is used in no other manner, or;
 - (b) That such a new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.
2. The proper use of computers will be taught through planned computer curriculum and computer-related instruction for students. Staff will address the ethical and practical problems caused by software piracy.
3. Division employees are expected to maintain software and supporting manuals in a safe place. The manual needs to be available for software and hardware audit.
4. When software is being used on a disk sharing system, efforts will be made to secure this software from copying.
5. Illegal copies of copyrighted programs may not be made or used on school equipment.
6. The Superintendent or his/her designee is the only individual who may sign license agreements for software in the school division. Each school using the software should have a copy of the signed software duplication.
7. No employees of the school division will encourage or allow any student to surreptitiously or illegally duplicate computer software or illegally access any data base or electronic bulletin board.
8. No employee of the school division will encourage or allow any student to surreptitiously or illegally duplicate computer software or illegally access any data base or electronic bulletin board.
9. The principal of the each school site or manager of each department is responsible for enforcing this regulation.

Penalties for Infringement of Copyright

EDUCATORS, EDUCATION INSTITUTIONS, AND SCHOOL DIVISION MAY BE SUED IF THEY VIOLATE OR INFRINGE THE RIGHTS OF COPYRIGHT.

THE LEGAL OR INSURANCE PROTECTION OF THE NEW KENT SCHOOL DIVISION WILL NOT BE EXTENDED TO EMPLOYEES WHO KNOWINGLY VIOLATE COPYRIGHT LAWS.

COPYRIGHT INFRINGEMENT INVOLVING THE REPRODUCTION OR DISTRIBUTION OF AT LEAST 10 COPIES OF ONE OR MORE COPYRIGHTED WORK(S) WITH A RETAIL VALUE IN EXCESS OF \$2500 (ANY KIND, NOT JUST COMPUTER SOFTWARE) WITHIN A 180 DAY PERIOD IS A FELONY. FIRST OFFENSE IS PUNISHABLE IN GENERAL BY A SENTENCE OF UP TO 5 YEARS AND/OR A FINE OF UP TO \$250,000 FOR INDIVIDUALS AND UP TO \$500,000 FOR ORGANIZATIONS. ANY SUBSEQUENT OFFENSE IS PUNISHABLE IN GENERAL BY A SENTENCE OF UP TO 10 YEARS AND/OR THE FINES SPECIFIED ABOVE.

NKSB Review: September 10, 2012

VIDEO USAGE PROCEDURAL GUIDELINES

Videos constitute one of the optional supplemental materials that may be utilized in classrooms. They are used by teachers to extend, expand, and supplement basal materials.

According to Policy Manual IIAB, “Teachers must carefully review materials prior to use and exercise a high degree of professional judgment in their selection and use of supplemental materials, to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific areas and classrooms.”

Concerns over the usage of videos have necessitated the development of these guidelines. Concerns center around three major areas: using ‘instructional’ versus ‘commercial’ videos, copyright issues, and the total amount of time devoted to watching videos of any type.

Instructional videos include those from Channels 23 and 57, PBS, the History Channel, etc, as well as those ordered from instructional materials supply sources. Commercial videos should be used sparingly, and only for instructional purposes. An example would be comparing an **excerpt** of a video with the appropriate print selection. Video ratings should always be considered. At no time should an “R” rated video be shown.’

Section 110 of the Copyright Act allows teachers to show video recordings to students in a classroom setting under the following conditions:

- the work must be shown by the instructor;
- the work must be shown for instructional purposes, not recreation or entertainment;
- the work must be part of a class activity; and
- the copy of the work must have been legally made and purchased.

Copyright laws also allow selected portions of video recordings to be used in the classroom or for criticism, news reporting or research without permission if the use can be considered “fair use.” Four factors are used to determine fair use:

- purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- nature of the copyrighted work;
- amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- the effect of the use upon the potential market for or value of the copyrighted work.

This means that fair use would not permit the display of an entire video recording (17 U.S.C. 107).

The time issue is one that should be controlled at the school level.

Prior to the showing of any video, permission should be obtained from the head teacher/department head and/or an administrator.

VIDEO USAGE REQUEST FORM

Teacher's Name: _____ Date Submitted: _____

Class _____ Grade Level _____ Period _____

Date of Planned Usage: _____

Title of Video: _____

Video Source: _____

Length of Entire Video: _____

Length of Time the Video will be Viewed in Class: _____

Objective: The students will

Unit of Study: _____

Related Activity/Activities: _____

Please return the completed form to department chair at least **TWO** full days prior to requested usage.

NKSB Review: September 10, 2012

INSURANCE MANAGEMENT

The School Board maintains such insurance on school property, including vehicles, as it deems necessary or as is required by law. The School Board may provide liability insurance, or may provide self-insurance, for certain or all of its officers and employees and for student teachers and other persons performing functions or services for any school in the school division, regardless of whether payment is made for such functions or services. Such insurance, including workers' compensation and all property and casualty insurance, is placed with insurance companies authorized to do business in Virginia or provided by insurance pools, groups, or self-insured programs authorized by the state Bureau of Insurance.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: May 3, 2004
Revised: October 1, 2012
Revised: May 19, 2014

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2700 through 15.2-2709; 22.1-84; 22.1-188 through 22.1-198.

EDUCATIONAL FOUNDATIONS

The School Board may establish public school foundations for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board. Such a foundation may be established directly by the School Board or by the School Board and other organizations or persons, on behalf of the School Board by a third party, or through a contract with a corporation as defined by Va. Code § 2.2-212.2:2. The foundation may be established as a cooperative regional effort with other School Boards.

I. Requirements

Upon establishing or contracting with a corporation, whether or not other organizations, School Boards, or persons are involved, the School Board shall:

- Review and approve the articles of incorporation and bylaws
- Establish a system of accounting to protect public funds
- Establish agreement that, upon dissolution of the corporation, any assets remaining after payment of just debts shall be transferred to and become the property of the School Board or, if a regional effort, the procedure by which the property may be divided among the School Boards
- Require, in any instance in which the School Board advances, contributes or loans funds to the corporation, that such contract shall provide for the posting of a bond with surety by the officers of the corporation conditioned to protect the rights of the School Board
- Establish terms for the allocation of any profits or revenues between the School Board and the corporation
- Take such other steps as may be necessary to comply with applicable law

II. Funding

The School Board may (i) advance, contribute or loan funds to such foundations, and (ii) establish an escrow fund for the purpose of funding various educational technology projects.

III. Procurement

In making purchases through its public school foundation, the School Board is exempt from the Virginia Public Procurement Act, except, relative to such purchases, the School Board shall comply with the provisions of sections 2.2-4311 and 2.2-4367 through 2.2-4377 of the Act.

Adopted: May 23, 2004
Revised: August 3, 2009
Revised: January 7, 2013
Revised: May 19, 2014

Legal Refs: Code of Virginia, §§ 2.2-4311, 2.2-4343, 2.2-4367 through 2.2-4377, 22.1-212:2.

Cross Refs.: KA Goals for School-Community Relations
KH Public Gifts to the Schools
KM Relations with Community Organizations
KQ Commercial, Promotional and Corporate Sponsorships and Partnerships