

LD4418733

SENATE BILL NO. 340

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Joint Conference Committee
on March 12, 1994)

(Patron Prior to Substitute—Senator Schewel)

A BILL to amend and reenact §§ 16.1-241, as it is currently effective and as it may become effective, and 22.1-253.13:1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-199.1 and 22.1-276.01, relating to increasing educational opportunities; penalty.

Be it enacted by the General Assembly of Virginia:

1. That §§ 16.1-241, as it is currently effective and as it may become effective, and 22.1-253.13:1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 22.1-199.1 and 22.1-276.01 as follows:

§ 16.1-241. (For effective date - See note) Jurisdiction.

The judges of the juvenile and domestic relations district court elected or appointed under this law shall be conservators of the peace within the corporate limits of the cities and the boundaries of the counties for which they are respectively chosen and within one mile beyond the limits of such cities and counties. Except as hereinafter provided, each juvenile and domestic relations district court shall have, within the limits of the territory for which it is created, exclusive original jurisdiction, and within one mile beyond the limits of said city or county, concurrent jurisdiction with the juvenile court or courts of the adjoining city or county over all cases, matters and proceedings involving:

A. The custody, visitation, support, control or disposition of a child:

1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status offender, or delinquent;

2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical or mental incapacity of his parents is without parental care and guardianship;

2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as having abused or neglected another child in the care of the parent or custodian;

3. Whose custody, visitation or support is a subject of controversy or requires determination. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, except as provided in § 16.1-244;

4. Who is the subject of an entrustment agreement entered into pursuant to § 63.1-56 or § 63.1-204 or whose parent or parents for good cause desire to be relieved of his care and custody;

5. Where the termination of residual parental rights and responsibilities is sought. In such cases jurisdiction shall be concurrent with and not exclusive of courts having equity jurisdiction, as provided in § 16.1-244;

6. Who is charged with a traffic infraction as defined in § 46.2-100.

The authority of the juvenile court to adjudicate matters involving the custody, visitation, support, control or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father or legal guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party with a legitimate interest shall be broadly construed and shall include, but not be limited to, grandparents, stepparents, former stepparents, blood relatives and family members. The authority of the juvenile court to consider a petition involving the custody of a child shall not be proscribed or limited where the child has previously been awarded to the custody of a local board of social services.

B. The admission of minors for inpatient treatment in a mental health facility in accordance with the provisions of Article 16 (§ 16.1-335 et seq.) of this chapter and the commitment of a mentally ill person or judicial certification of eligibility for admission to a treatment facility of a mentally retarded person in accordance with the provisions of Chapters 1 (§ 37.1-1 et seq.) and 2 (§ 37.1-63 et seq.) of Title 37.1. Jurisdiction of the commitment and certification of adults shall be concurrent with the general district court.

C. Except as provided in subsections D and H hereof, judicial consent to such activities as may require parental consent may be given for a child who has been separated from his parents, guardian, legal custodian or other person standing in loco parentis and is in the custody of the court when such consent is required by law.

D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has ever been married, when the consent of his parent, guardian, legal custodian or other person standing in loco parentis is unobtainable because such parent, guardian, legal custodian or other person standing in loco parentis (i) is not a resident of this Commonwealth, (ii) his whereabouts is unknown, (iii) he cannot be consulted with promptness, reasonable under the circumstances or (iv) fails to give

60 such consent or provide such treatment when requested by the judge to do so.

61 E. Any person charged with deserting, abandoning or failing to provide support for any person in
62 violation of law.

63 F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

64 1. Who has been abused or neglected;

65 2. Who is the subject of an entrustment agreement entered into pursuant to § 63.1-56 or § 63.1-204
66 or is otherwise before the court pursuant to subdivision A 4 of this section;

67 3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court
68 finds that such person has by overt act or omission induced, caused, encouraged or contributed to the
69 conduct of the child complained of in the petition.

70 G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other
71 person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services
72 which are required by law to be provided for that child or such child's parent, guardian, legal custodian
73 or other person standing in loco parentis. Jurisdiction in such cases shall be concurrent with and not
74 exclusive of that of courts having equity jurisdiction as provided in § 16.1-244.

75 H. Judicial consent to apply for work permit for a child when such child is separated from his
76 parents, legal guardian or other person standing in loco parentis.

77 I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or
78 neglect of children or with any violation of law which causes or tends to cause a child to come within
79 the purview of this law, or with any other offense against the person of a child. In prosecution for
80 felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not
81 there is probable cause.

82 J. All offenses in which one family or household member is charged with an offense in which
83 another family or household member is the victim. In prosecution for felonies over which the court has
84 jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause. For
85 purposes of this subsection, "family or household member," as defined in § 16.1-228, shall also be
86 construed to include parent and child, stepparent and stepchild, brothers and sisters, and grandparent and
87 grandchild, regardless of whether such persons reside in the same home.

88 K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily
89 relinquished pursuant to a court proceeding, to seek a reversal of the court order terminating such
90 parental rights. No such petition shall be accepted, however, after the child has been placed in the home
91 of adoptive parents.

92 L. Any person who seeks spousal support after having separated from his spouse. A decision under
93 this subdivision shall not be res judicata in any subsequent action for spousal support in a circuit court.
94 A circuit court shall have concurrent original jurisdiction in all causes of action under this subdivision.

95 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1 or
96 § 16.1-279.1.

97 N. Any person who escapes or remains away without proper authority from a residential care facility
98 in which he had been placed by the court or as a result of his commitment to the Virginia Department
99 of Youth and Family Services.

100 O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.) of this chapter.

101 P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 13
102 (§ 63.1-249 et seq.) of Title 63.1, or by another state in the same manner as if the orders were entered
103 by a juvenile and domestic relations district court upon the filing of a certified copy of such order in the
104 juvenile and domestic relations district court.

105 Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20.

106 R. Petitions for the purpose of obtaining an emergency protective order pursuant to § 16.1-253.4.

107 *S. Petitions filed by school boards against a parent pursuant to § 22.1-276.01.*

108 The ages specified in this law refer to the age of the child at the time of the acts complained of in
109 the petition.

110 § 16.1-241. (Delayed effective date - See notes) Jurisdiction.

111 The judges of the family court elected or appointed under this law shall be conservators of the peace
112 within the corporate limits of the cities and the boundaries of the counties for which they are
113 respectively chosen and within one mile beyond the limits of such cities and counties. Except as
114 hereinafter provided, each family court shall have, within the limits of the territory for which it is
115 created, exclusive original jurisdiction, and within one mile beyond the limits of said city or county,
116 concurrent jurisdiction with the family court or courts of the adjoining city or county over all cases,
117 matters and proceedings involving:

118 A. The custody, visitation, support, control or disposition of a child:

119 1. Who is alleged to be abused, neglected, in need of services, in need of supervision, a status
120 offender, or delinquent;

121 2. Who is abandoned by his parent or other custodian or who by reason of the absence or physical

or mental incapacity of his parents is without parental care and guardianship;

2a. Who is at risk of being abused or neglected by a parent or custodian who has been adjudicated as having abused or neglected another child in the care of the parent or custodian;

3. Whose custody, visitation or support is a subject of controversy or requires determination;

4. Who is the subject of an entrustment agreement entered into pursuant to § 63.1-56 or § 63.1-204 or whose parent or parents for good cause desire to be relieved of his care and custody;

5. Where the termination of residual parental rights and responsibilities is sought;

6. Who is charged with a traffic infraction as defined in § 46.2-100.

The authority of the family court to adjudicate matters involving the custody, visitation, support, control or disposition of a child shall not be limited to the consideration of petitions filed by a mother, father or legal guardian but shall include petitions filed at any time by any party with a legitimate interest therein. A party with a legitimate interest shall be broadly construed and shall include, but not be limited to, grandparents, stepparents, former stepparents, blood relatives and family members. The authority of the family court to consider a petition involving the custody of a child shall not be proscribed or limited where the child has previously been awarded to the custody of a local board of social services.

B. The admission of minors for inpatient treatment in a mental health facility in accordance with the provisions of Article 16 (§ 16.1-335 et seq.) of this chapter and the commitment of a mentally ill person or judicial certification of eligibility for admission to a treatment facility of a mentally retarded person in accordance with the provisions of Chapters 1 (§ 37.1-1 et seq.) and 2 (§ 37.1-63 et seq.) of Title 37.1. Jurisdiction of the commitment and certification of adults shall be concurrent with the general district court.

C. Except as provided in subsections D and H hereof, judicial consent to such activities as may require parental consent may be given for a child who has been separated from his parents, guardian, legal custodian or other person standing in loco parentis and is in the custody of the court when such consent is required by law.

D. Judicial consent for emergency surgical or medical treatment for a child who is neither married nor has ever been married, when the consent of his parent, guardian, legal custodian or other person standing in loco parentis is unobtainable because such parent, guardian, legal custodian or other person standing in loco parentis (i) is not a resident of this Commonwealth, (ii) his whereabouts is unknown, (iii) cannot be consulted with promptness, reasonable under the circumstances or (iv) fails to give such consent or provide such treatment when requested by the judge to do so.

E. Any person charged with deserting, abandoning or failing to provide support for any person in violation of law pursuant to Chapter 5 (§ 20-61 et seq.) of Title 20.

F. Any parent, guardian, legal custodian or other person standing in loco parentis of a child:

1. Who has been abused or neglected;

2. Who is the subject of an entrustment agreement entered into pursuant to § 63.1-56 or § 63.1-204 or is otherwise before the court pursuant to subdivision A 4 of this section;

3. Who has been adjudicated in need of services, in need of supervision, or delinquent, if the court finds that such person has by overt act or omission induced, caused, encouraged or contributed to the conduct of the child complained of in the petition.

G. Petitions filed by or on behalf of a child or such child's parent, guardian, legal custodian or other person standing in loco parentis for the purpose of obtaining treatment, rehabilitation or other services which are required by law to be provided for that child or such child's parent, guardian, legal custodian or other person standing in loco parentis.

H. Judicial consent to apply for work permit for a child when such child is separated from his parents, legal guardian or other person standing in loco parentis.

I. The prosecution and punishment of persons charged with ill-treatment, abuse, abandonment or neglect of children or with any violation of law which causes or tends to cause a child to come within the purview of this law, or with any other offense against the person of a child. In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause.

J. All offenses in which one family or household member is charged with an offense in which another family or household member is the victim. In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to determining whether or not there is probable cause. For purposes of this subsection, "family or household member," as defined in § 16.1-228, shall also be construed to include parent and child, stepparent and stepchild, brothers and sisters, and grandparent and grandchild, regardless of whether such persons reside in the same home.

K. Petitions filed by a natural parent, whose parental rights to a child have been voluntarily relinquished pursuant to a court proceeding, to seek a reversal of the court order terminating such parental rights. No such petition shall be accepted, however, after the child has been placed in the home

183 of adoptive parents.

184 L. Any person who seeks spousal support after having separated from his spouse.

185 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1 or
186 § 16.1-279.1.

187 N. Any person who escapes or remains away without proper authority from a residential care facility
188 in which he had been placed by the court or as a result of his commitment to the Virginia Department
189 of Youth and Family Services.

190 O. Petitions for emancipation of a minor pursuant to Article 15 (§ 16.1-331 et seq.) of this chapter.

191 P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 13
192 (§ 63.1-249 et seq.) of Title 63.1, or by another state in the same manner as if the orders were entered
193 by a family court upon the filing of a certified copy of such order in the family court.

194 Q. Petitions for a determination of parentage pursuant to Chapter 3.1 (§ 20-49.1 et seq.) of Title 20.

195 R. Petitions for the purpose of obtaining an emergency protective order pursuant to § 16.1-253.4.

196 S. Suits for divorce and for annulling or affirming marriage in accordance with Title 20.

197 T. Suits for separate maintenance.

198 U. Suits for equitable distribution based on a foreign decree in accordance with § 20-107.3.

199 V. Petitions for adoption.

200 W. Petitions for change of name when incident to suits for annulling or affirming marriage, divorce,
201 or adoption or when ancillary to any action within the jurisdiction of the family court.

202 X. Petitions regarding records of birth pursuant to Chapter 7 (§ 32.1-249 et seq.) of Title 32.1.

203 Y. Judicial review of school board actions pursuant to § 22.1-87 and of hearing officer decisions
204 pursuant to §§ 22.1-214 and 22.1-214.1.

205 Z. *Petitions filed by school boards against a parent pursuant to § 22.1-276.01.*

206 The ages specified in this law refer to the age of the child at the time of the acts complained of in
207 the petition.

208 § 22.1-199.1. *Program for improving educational opportunities.*

209 *In recognition of the importance of setting long-term educational improvement goals and the*
210 *significance of early childhood education, educational technology, and parental and community*
211 *involvement, the General Assembly establishes the following objectives:*

212 1. *By the year 2000, the General Assembly shall seek to ensure that licensed instructional personnel*
213 *shall be assigned by each school board in a manner that produces divisionwide ratios of students in*
214 *average daily membership to full-time equivalent teaching positions in grades kindergarten through*
215 *three, excluding special education teachers, principals, assistant principals, counselors, and librarians,*
216 *that are not greater than the following: a statewide ratio of twenty to one and a targeted ratio of*
217 *sixteen to one in schools with high concentrations of at-risk students.*

218 2. *Effective July 1, 1995, the availability of voluntary programs for at-risk four-year-old children*
219 *shall be increased as provided in the appropriation act.*

220 3. *Effective July 1, 1994, access to educational technology shall be expanded as set forth in the*
221 *appropriation act. "Educational technology" means distance learning, integrated learning systems (ILS),*
222 *multimedia library packages, laptop computer loan programs, vocational technology/diversified*
223 *technology laboratories (DTL), or other electronic techniques designed to enhance education and*
224 *teacher training in the use of instructional technology.*

225 4. *Effective July 1, 1994, with such funds as are appropriated for this purpose, incentives for*
226 *parental and community involvement shall be strengthened as set forth in § 22.1-276.01.*

227 § 22.1-253.13:1. Standard 1. Basic skills, selected programs, and instructional personnel.

228 A. The General Assembly and the Board of Education believe that the fundamental goal of the
229 public schools of this Commonwealth must be to enable each student to develop the skills that are
230 necessary for success in school and preparation for life, and find that the quality of education is
231 dependent upon the provision of the appropriate working environment, benefits, and salaries necessary to
232 ensure the availability of high quality instructional personnel and adequate commitment of other
233 resources.

234 B. The Board of Education shall establish educational objectives to implement the development of
235 the skills that are necessary for success in school and for preparation for life in the years beyond. The
236 current educational objectives, known as the Standards of Learning, shall not be construed to be
237 regulations as defined in § 9-6.14:4; however, the Board of Education may, from time to time, revise
238 these educational objectives. In order to provide appropriate opportunity for input from the general
239 public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to
240 establishing new educational objectives. Thirty days prior to conducting such hearings, the Board shall
241 give written notice by mail of the date, time, and place of the hearings to all local school boards and
242 any other persons requesting to be notified of the hearings and publish notice of its intention to revise
243 these educational objectives in the Virginia Register of Regulations. Interested parties shall be given
244 reasonable opportunity to be heard and present information prior to final adoption of any revisions of

these educational objectives.

The Board shall seek to ensure that any revised educational objectives are consistent with the world's highest educational standards. However, no revisions shall be implemented prior to July 1, 1994. These objectives shall include, but not be limited to, basic skills of communication, computation and critical reasoning including problem solving and decision making, and the development of personal qualities such as self-esteem, sociability, self-management, integrity, and honesty. School boards shall implement these objectives or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives utilized by the school division at appropriate age or grade levels. With such funds as are available for this purpose, the Board of Education may prescribe assessment methods to determine the level of achievement of these objectives by all students.

C. Local school boards shall develop and implement a program of instruction for grades K through 12 which emphasizes reading, writing, speaking, mathematical concepts and computations, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of history, economics, government, foreign languages, international cultures, health, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts and practical arts; knowledge and skills needed to qualify for further education and employment or, in the case of some handicapped children, to qualify for appropriate training; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning.

Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those whose scores are in the bottom national quartile on Virginia State Assessment Program Tests, or who do not pass the literacy test prescribed by the Board of Education. Division superintendents may require such students to take special programs of prevention, intervention, or remediation which may include attendance in public summer school sessions. Students required to attend such summer school sessions shall not be charged tuition. Based on the number of students attending and the Commonwealth's share of the per pupil costs, additional state funds shall be provided for summer remediation programs as set forth in the appropriation act.

D. Local school boards shall also implement the following:

1. Programs in grades K through 3 which emphasize developmentally appropriate learning to enhance success.

2. Programs based on prevention, intervention, or retrieval designed to increase the number of students who earn a high school diploma or general education development (GED) certificate. As provided in the appropriation act, state funding, in addition to basic aid, shall be allocated to support programs grounded in sound educational policy to reduce the number of students who drop out of school.

3. Career education programs infused into the K through 12 curricula that promote knowledge of careers and all types of employment opportunities including but not limited to, apprenticeships, the military, and career education schools, and emphasize the advantages of completing school with marketable skills. School boards may include career exploration opportunities in the middle school grades.

4. Competency-based vocational education programs, which integrate academic outcomes, career guidance and job-seeking skills for all secondary students including those identified as handicapped that reflect employment opportunities, labor market needs, applied basic skills, job-seeking skills, and career guidance. Career guidance shall include employment counseling designed to furnish information on available employment opportunities to all students, including those identified as handicapped, and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subsection.

5. Academic and vocational preparation for students who plan to continue their education beyond secondary school or who plan to enter employment.

6. Early identification of handicapped students and enrollment of such students in appropriate instructional programs consistent with state and federal law.

7. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

8. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.

9. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

10. A plan to make achievements for students who are educationally at risk a divisionwide priority which shall include procedures for measuring the progress of such students.

E. Each local school board shall employ with state and local basic, special education, gifted, and vocational education funds a minimum number of licensed, full-time equivalent instructional personnel for each 1,000 students in average daily membership (ADM) as set forth in the appropriation act. Calculations of kindergarten positions shall be based on full-day kindergarten programs. Beginning with the March 31 report of average daily membership, those school divisions offering half-day kindergarten shall adjust their average daily membership for kindergarten to reflect eighty-five percent of the total kindergarten average daily memberships.

F. In addition to the positions supported by basic aid and in support of regular school year remedial programs, state funding, pursuant to the appropriation act, shall be provided to fund certain full-time equivalent instructional positions for each 1,000 students in grades K through 12 estimated to score in the bottom national quartile on Virginia State Assessment Program Tests and those who fail the literacy tests prescribed by the Board. State funding for remedial programs provided pursuant to this subsection and the appropriation act may be used to support programs for educationally at-risk students as identified by the local school boards.

The Board of Education shall establish criteria for identification of educationally at-risk students, which shall not be construed to be regulations as defined in § 9-6.14:4; however, the Board of Education may, from time to time, revise these identification criteria. In order to provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing or revising such identification criteria. Thirty days prior to conducting such hearings, the Board shall give written notice by mail of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to establish or revise such identification criteria in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any such identification criteria or revisions thereto.

G. Licensed instructional personnel shall be assigned by each school board in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: (i) twenty-five to one in kindergarten with no class being larger than thirty students; if the average daily membership in any kindergarten class exceeds twenty-five pupils, a full-time teacher's aide shall be assigned to the class; (ii) twenty-four to one in grade one with no class being larger than thirty students; (iii) twenty-five to one in grades two and three with no class being larger than thirty students; (iv) twenty-five to one in grades four through six with no class being larger than thirty-five students; and (v) twenty-four to one in English classes in grades six through twelve. *Further, pursuant to the appropriation act, school boards may implement in kindergarten through third grade, within certain schools, lower ratios of students in average daily membership to full-time equivalent teaching positions by assigning instructional personnel in a manner that produces ratios of students in average daily membership to full-time equivalent teaching positions, excluding special education teachers, principals, assistant principals, counselors, and librarians, as follows: (i) in schools having high concentrations of at-risk students, eighteen to one; and (ii) in schools having moderate concentrations of at-risk students, twenty to one. For the purposes of this subsection and subsection H, "schools having high concentrations of at-risk students" and "schools having moderate concentrations of at-risk students" shall be defined in the appropriation act.*

In addition, instructional personnel shall be assigned by each school board in a manner that produces schoolwide ratios of students in average daily memberships to full-time equivalent teaching positions of twenty-five to one in middle schools and high schools.

H. Effective July 1, 1996, licensed instructional personnel shall be assigned by each school board in a manner that produces divisionwide ratios of students in average daily membership to full-time equivalent teaching positions in grades kindergarten through three, excluding special education teachers, principals, assistant principals, counselors, and librarians, that are not greater than the following ratios: twenty-two to one, with a targeted ratio of eighteen to one in schools with high concentrations of at-risk students, and a targeted ratio of twenty to one in schools with moderate concentrations of at-risk students; however, no class size shall exceed twenty-five for kindergarten and twenty-eight for grades one through three. The ratios established in clauses (iv) and (v) of subsection G above shall be maintained. In developing the proposed 1996-1998 biennium budget for public education, the Board of Education shall include funding for these ratios and class sizes. Effective July 1, 1996, these ratios and class sizes shall be included in the annual budget for public education.

§ 22.1-276.01. Parental responsibility and involvement requirements.

A. Each parent of a student enrolled in a public school has a duty to assist the school in enforcing the standards of student conduct and attendance in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

B. A school board shall provide opportunities for parental and community involvement in every school in the school division.

C. Within one calendar month of the opening of school, each school board shall, simultaneously with any other materials customarily distributed at that time, send to the parents of each enrolled student (i) a notice of the requirements of this section and (ii) a copy of the school board's standards of student conduct.

Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the requirements of the school board's standards of student conduct and recognizing his responsibility to assist the school in disciplining the student and maintaining order and that failure to so participate could result in court action against the student and the parent. Each school shall maintain records of such signed statements.

D. The principal of a student's school may request the parent to meet with the school's principal or his designee to review the school board's standards of student conduct, the parent's responsibility to participate with the school in disciplining the student and maintaining order and to discuss improvement of the child's behavior and educational progress.

E. Pursuant to § 22.1-277 and the guidelines required by § 22.1-278, the school principal shall notify the parents of any student who violates a school board policy that could result in the student's suspension. The notice shall state (i) the date and particulars of the violation; (ii) the obligation of the parent to take actions to assist the school in improving the student's behavior; (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials; and (iv) that, upon the failure of a parent to meet with school officials, the school board may petition the juvenile and domestic relations court to compel the parent to so meet.

F. No suspended student shall be admitted to the regular school program until such student and his parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or his designee determines that special circumstances exist and that readmission of the student is appropriate.

G. Upon the failure of a parent to comply with the provisions of this section, the school board may, by petition to the juvenile and domestic relations court, proceed against such parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior as follows:

1. If the court finds that the parent has willfully and unreasonably failed to return the statement required by subsection C of this section, it may impose a civil penalty not to exceed \$50;

2. If the court finds that the parent has willfully and unreasonably failed to meet, pursuant to a request of the principal as set forth in subsection D of this section, to review the school board's standards of student conduct and the parent's responsibility to assist the school in disciplining the student and maintaining order and to discuss improvement of the child's behavior and educational progress, it may order the parent to so meet; or

3. If the court finds that the parent has willfully and unreasonably failed to accompany a suspended student to meet with school officials pursuant to subsection F, or upon the student receiving a second suspension or being expelled, it may order (i) the student or his parent to participate in such programs or such treatment as the court deems appropriate to improve the student's behavior or (ii) the student or his parent to be subject to such conditions and limitations as the court deems appropriate for the supervision, care, and rehabilitation of the student or his parent; in addition, the court may order the parent to pay a civil penalty not to exceed \$500.

The court shall not use its contempt power to enforce any order entered under this section.

H. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court in which the student's school is located and shall be paid into a fund maintained by the appropriate local governing body to support programs or treatments designed to improve the behavior of students as described in clause (iii) of subsection G. Upon the failure to pay the civil penalties imposed by this section, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

I. For the purposes of this section, "parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.