

LD5883476

HOUSE BILL NO. 2542

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health
on February 17, 1995)

(Patron Prior to Substitute—Delegate Van Landingham)

A BILL to amend and reenact § 16.1-241, as it is currently effective and as it may become effective, and §§ 16.1-241.2 and 22.1-1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-199.1 and 22.1-279.3, relating to the Virginia Omnibus Educational Act of 1995 and establishing programs designed to promote educational opportunities and parental responsibility for and involvement in students' education.

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 §§ 16.1-241.2 and 22.1-1 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 22.1-279.3 as follows:

§ 16.1-241. 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, except where the jurisdiction of the juvenile court has been terminated under the provisions of § 16.1-269.6;

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. A party with a legitimate interest shall not include any person (i) whose parental rights have been involuntarily terminated by court order if the child subsequently has been legally adopted, or (ii) who has been convicted of a violation of subsection A of § 18.2-61 or subsection B of § 18.2-366 when the child who is the subject of the petition was conceived as a result of such violation. 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

60 consent is required by law.

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

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

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

70 1. Who has been abused or neglected;

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

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

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

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

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

88 J. All offenses in which one family or household member is charged with an offense in which
89 another family or household member is the victim and all offenses under § 18.2-49.1.

90 In prosecution for felonies over which the court has jurisdiction, jurisdiction shall be limited to
91 determining whether or not there is probable cause. For purposes of this subsection, "family or
92 household member," as defined in § 16.1-228, shall also be construed to include parent and child,
93 stepparent and stepchild, brothers and sisters, and grandparent and grandchild, regardless of whether
94 such persons reside in the same home.

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

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

102 M. Petitions filed for the purpose of obtaining an order of protection pursuant to § 16.1-253.1 or
103 § 16.1-279.1.

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

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

108 P. Petitions for enforcement of administrative support orders entered pursuant to Chapter 13
109 (§ 63.1-249 et seq.) of Title 63.1, or by another state in the same manner as if the orders were entered
110 by a juvenile and domestic relations district court upon the filing of a certified copy of such order in the
111 juvenile and domestic relations district court.

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

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

114 S. Petitions filed by school boards against a ~~parent~~ *parents* pursuant to §§ 16.1-241.2 and
115 22.1-279.3.

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

118 § 16.1-241. (Delayed effective date) Jurisdiction.

119 The judges of the family court elected or appointed under this law shall be conservators of the peace
120 within the corporate limits of the cities and the boundaries of the counties for which they are
121 respectively chosen and within one mile beyond the limits of such cities and counties. Except as

hereinafter provided, each family 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 family 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, except where the jurisdiction of the family court has been terminated under the provisions of § 16.1-269.6;

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. A party with a legitimate interest shall not include any person (i) whose parental rights have been involuntarily terminated by court order if the child subsequently has been legally adopted, or (ii) who has been convicted of a violation of subsection A of § 18.2-61 or subsection B of § 18.2-366 when the child who is the subject of the petition was conceived as a result of such violation. 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 and all offenses under § 18.2-49.1.

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 of adoptive parents.

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

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

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

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

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

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

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

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

T. Suits for separate maintenance.

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

V. Petitions for adoption.

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

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

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

Z. Petitions filed by school boards against a ~~parent~~ *parents* pursuant to §§ 16.1-241.2 and 22.1-279.3.

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

§ 16.1-241.2. Proceedings against certain parents.

A. Upon the failure of a parent to comply with the provisions of § ~~22.1-276.04~~ 22.1-279.3, 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 § ~~22.1-276.04~~ 22.1-279.3, 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 § ~~22.1-276.04~~ 22.1-279.3, 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 of § ~~22.1-276.04~~ 22.1-279.3, 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.

B. The civil penalties established pursuant to this section shall be enforceable in the juvenile and domestic relations court *or its successor in interest* 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)~~ *subdivision 3* of subsection G

of § ~~22.1-276.01~~ 22.1-279.3. Upon the failure to pay any civil penalties imposed by this section and § ~~22.1-276.01~~ 22.1-279.3, the attorney for the appropriate county, city, or town shall enforce the collection of such civil penalties.

C. For the purposes of this section and § ~~22.1-276.01~~ 22.1-279.3, "parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

§ 22.1-1. Definitions.

As used in this title unless the context requires otherwise or it is otherwise specifically provided:

"Board" or "State Board" means the Board of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" includes elementary, middle, and high school grades.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board of a school division.

§ 22.1-199.1. Programs designed to promote educational opportunities.

A. The General Assembly finds that Virginia educational research supports the conclusion that poor children are more at risk of educational failure than children from more affluent homes and that reduced pupil-teacher ratios and class sizes result in improved academic performance among young children; to this end, the General Assembly establishes a long-term goal of reducing pupil-teacher ratios and class sizes for grades K through 3 in those schools in the Commonwealth with high or moderate concentrations of at-risk students.

Effective July 1, 1996, and with such funds as are provided in the appropriations act for this purpose, there is hereby established the statewide voluntary pupil-teacher ratio and class size reduction program for the purpose of reaching the long-term goal of statewide voluntary pupil-teacher ratio and class size reductions for grades K through 3 in schools with high or moderate concentrations of at-risk students, consistent with the provisions first provided during the 1994-1995 school year.

In order to facilitate these primary grade ratio and class size reductions, the Department of Education shall calculate the state funding of these voluntary ratio and class size reductions based on the incremental cost of providing the lower class sizes according to the greater of the division average per-pupil cost of all divisions or the actual division per-pupil cost. Localities shall provide matching funds for these voluntary ratio and class size reductions based on the composite index of local ability to pay. School divisions shall notify the Department of Education of their intention to implement the reduced ratios and class sizes in one or more of their qualifying schools by August 1 of each year. By March 31 of each year, school divisions shall forward data substantiating that each participating school has a complying pupil-teacher ratio.

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, the ratios and class sizes shall be included in the annual budget for public education.

B. The General Assembly finds that educational technology is one of the most important components, along with highly skilled teachers, in ensuring the delivery of quality public school education throughout the Commonwealth and, to this end, the following program is established. With such funds as are appropriated for this purpose, the Board of Education shall award to the several school divisions grants for expanded access to educational technology. Funding for educational technology training for instructional personnel shall be provided by the local school boards. Each qualifying school board shall establish an individualized technology plan, which shall be approved by the Superintendent of Public Instruction, for integrating technology into the classroom and into school-wide instructional programs. The grants shall be prioritized as follows:

1. In the 1994 biennium, the first priority for these funds shall be to automate the library media centers and provide network capabilities in Virginia's elementary, middle and high schools, or combination thereof, in order to ensure access to the statewide library and other information networks. If any elementary, middle or high school has already met this priority, the 1994 biennium grant shall be used to provide other educational technologies identified in the relevant division's approved technology plan, such as multimedia and telecomputing packages, integrated learning systems, laptop computer loan programs, vocational technology laboratories or other electronic techniques designed to enhance public education and to facilitate teacher training in and implementation of effective instructional technology.

306 The Board shall also distribute, as provided in the appropriations act, funds to support the purchase of
307 electronic reference materials for use in the statewide automated reference system.

308 2. In the 1996 biennium, the first priority for funding shall be consistent with the Board of
309 Education's revised six-year technology plan.

310 3. The Departments of Education, Information Technology, and General Services shall coordinate
311 master contracts for the purchase by local school boards of the aforementioned educational technologies
312 and reference materials.

313 C. The General Assembly finds that effective prevention programs designed to assist children at risk
314 of school failure and dropout are practical mechanisms for reducing violent and criminal activity and
315 for ensuring that Virginia's children will reach adulthood with the skills necessary to succeed in the
316 twenty-first century; to this end, the following program is hereby established. With such funds as are
317 appropriated for this purpose, the General Assembly hereby establishes a grant program to be disbursed
318 by the Department of Education to schools and community-based organizations to provide quality
319 preschool programs for at-risk four-year-olds who are unserved by another such program. The grants
320 shall be used to provide full-day and at least school-year programs for at-risk four-year-old children
321 that include quality preschool education, health services, social services, parental involvement, and
322 transportation. The Department of Education, in cooperation with such other state agencies as may
323 coordinate child day care and early childhood programs, shall establish guidelines for quality preschool
324 education and criteria for the service components, consistent with the findings of the November 1993
325 study by the Board of Education, the Department of Education, and the Council on Child Day Care and
326 Early Childhood Programs. During the 1995-96 fiscal year, the Board of Education shall, with such
327 funds as are appropriated for this purpose, distribute grants, based on an allocation formula providing
328 the state share of the grant per child, as specified in the appropriations act, for thirty percent of the
329 unserved at-risk four-year-olds in the Commonwealth pursuant to the funding provided in the
330 appropriations act. During the 1996-97 fiscal year, grants shall be distributed, with such funds as are
331 appropriated for this purpose, based on an allocation formula providing the state share of the grant per
332 child, as specified in the appropriations act, for sixty percent of the unserved at-risk four-year-olds in
333 the Commonwealth, such sixty percent to be calculated by adding services for thirty percent more of the
334 unserved at-risk children to the thirty percent of unserved at-risk children in each locality provided
335 funding in the appropriations act.

336 In order for a locality to qualify for these grants, the local governing body shall commit to providing
337 the required matching funds, based on the composite index of local ability to pay. Localities may use,
338 for the purposes of meeting the local match, local expenditures for existing qualifying programs and
339 shall also continue to pursue and coordinate other funding sources, including child care subsidies.
340 Funds received through this program shall be used to supplement, not supplant, any funds currently
341 provided for preschool programs within the locality.

342 D. The General Assembly finds that local autonomy in making decisions on local educational needs
343 and priorities results in effective grass-roots efforts to improve education in the Commonwealth's public
344 schools only when coupled with sufficient state funding; to this end, the following block grant program
345 is hereby established. With such funds as are provided in the appropriations act, the Department of
346 Education shall distribute block grants to localities to enable compliance with the Commonwealth's
347 requirements for school divisions in effect on January 1, 1995. Therefore, for the purpose of such
348 compliance, the block grant herein established shall consist of a sum equal to the amount appropriated
349 in the appropriations act for the covered programs including the at-risk add-on program, dropout
350 prevention, specifically Project YES; Project Discovery; English as a second language programs,
351 including programs for overage, nonschooled students; and school/community health center pilots. Each
352 school board may use any funds received through the block grant to implement the covered programs
353 and other programs designed to save the Commonwealth's children from educational failure.

354 § 22.1-279.3. Parental responsibility and involvement requirements.

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

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

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

364 Each parent of a student shall sign and return to the school in which the student is enrolled a
365 statement acknowledging the requirements of the school board's standards of student conduct and
366 recognizing his responsibility to assist the school in disciplining the student and maintaining order, and
367 acknowledging 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 school principal may request the student's parent to meet with the principal or his designee to review the school board's standards of student conduct and 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. In accordance with § 22.1-277 and the guidelines required by § 22.1-278, the school principal may notify the parents of any student who violates a school board policy when such violation could result in the student's suspension, whether or not the school administration has imposed such disciplinary action. 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; and (iii) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials.

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 readmission, without parent conference, is appropriate for the student.

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 fifty dollars;

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's 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.

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 subdivision 3 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. All references in this section to the juvenile and domestic relations court shall be also deemed to mean any successor in interest of such court.