

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

**S.S., by and through her next friend,  
DONNA STITES**

Plaintiff,

v.

**FAIRFAX COUNTY SCHOOL BOARD**

Defendant.

**Civil Action:** 1:12-cv-00245-CMH-IDD

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL**

Comes now the Plaintiff, by and through counsel, and, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), files this voluntary dismissal with prejudice, stating as follows:

1. Plaintiff filed this lawsuit on March 6, 2012, seeking a preliminary and permanent injunction enjoining the Board from denying Plaintiff credit toward the community service requirements of the Thomas Jefferson High School chapter of the National Honor Society based upon her community service work of teaching/volunteering in a religious program for children at her church.
2. Shortly after Plaintiff filed this lawsuit, the Board granted Plaintiff full credit for her religious community service work and removed her from probationary status with the school's NHS chapter.
3. The Superintendent of Fairfax County Public Schools has also approved a new Regulation, entitled "Service Learning, General Community Service, including Faith-Based, Civic or Political Service," which allows students to receive credit for student-initiated service projects performed through faith-based, civic, or political organizations pursuant to the terms of the Regulation. An accurate copy of this new Regulation is attached as Exhibit A. This

Regulation will be implemented throughout the Fairfax County Public Schools system.

4. The Board also agreed to pay attorneys' fees to the Plaintiff.

Based on the above actions of the Defendant, Plaintiff hereby voluntarily dismisses this action with prejudice.

Dated this 25th day of May, 2012.

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*\*Application for Admission Pro Hac Vice Pending*

*Attorneys for Plaintiff S.S.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of May, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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# EXHIBIT A

**Regulation 3200**  
Instructional Services  
PreK-12 Curriculum and  
Instruction  
Effective 5-23-12

**INSTRUCTION**

**Standard Instructional Program**

**Service Learning, General Community Service, Including Faith-Based, Civic, or Political Service**

**I. PURPOSE**

To implement guidelines for crediting participation in student-sponsored and school-sponsored service learning and community service activities.

**II. CATEGORIES OF SERVICE**

The range of potential service projects for which students may receive credit is virtually unlimited, including civic, political, religious, environmental, social justice, animal welfare, sports and recreation, disaster relief and other activities, as long as the project complies with these guidelines and is approved by school officials. To receive credit, all service, regardless of whether it is "service learning" or "general community service," must involve work by the student and provide a benefit to the community. Credit will not be given for mere attendance at an event, or for a project or activity that benefits only the student, his or her relatives or friends.

**A. Service learning**

**1. Definitions**

Service learning is a teaching method designed to involve students in authentic and meaningful service to their communities. Service learning makes connections between the classroom and the community and provides structured time for students to reflect on their service experiences. It is intended to instill a sense of civic responsibility by encouraging students to assess their impact on the community as active contributors to society. Students can engage in a variety of activities, both curricular and extracurricular.

**2. Criteria**

To qualify as "service learning," an activity or project must contain the six elements listed in the service learning continuum <http://www.fcps.edu/is/servicelearning/sixelements.shtml>. The more advanced the student, the more advanced the student project should be on the continuum, with high school projects at the "developing" or "sustaining" level:

- a. Authenticity—at the developing level, meets an authentic community need as identified by relevant stakeholders; at the sustaining level, the student should

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conduct a needs assessment in the course of determining authentic community need.

- b. Intentionality—at the developing level, reflects evidence of planning and collaboration with relevant stakeholders; at the sustaining level, projects should reflect extensive planning and collaboration.
- c. Curricular Connections—at the developing level, reflects evidence of a curricular connection related to current student coursework in the Fairfax County Public School (FCPS) Program of Studies and Virginia Standards of Learning; at the sustaining level, meets the same criterion, but also reflects student work toward the Virginia Department of Education (VDOE) diploma seal of excellence in civics.
- d. Opportunities for Reflection—at the developing level, reflects evidence of student reflection via journals, discussion groups or electronic communities; at the sustaining level, reflection should include analysis of impact of service on the student, as well as analysis of community issues.
- e. Impact—at the developing level, reflects evidence of impact on stakeholders and on student; at the sustaining level, includes student analysis of possible solutions to community need.
- f. Application—at the developing level, reflects evidence of student's project analysis or solutions have been applied in the community; at the sustaining level, demonstrates that the student's analysis or solutions may apply to other community needs or future service opportunities.

3. Documentation

The successful completion of service learning projects that meet the criteria identified above will be documented by FCPS for students in grades 6, 8, and 9 through 12, using the following targets:

- a. Grade 6—5 hours
- b. Grade 8—15 hours
- c. Grades 9-12—effective school year 2012-13, 10 hours per year, for a total of 40 hours

Although service learning is strongly encouraged, failure to complete these hours will not affect the student's promotion to a higher grade or high school graduation. High school students who accumulate 40 hours of service learning are qualified to receive an FCPS service learning cord as a special recognition at graduation.

B. General Community Service

1. Definition

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“General community service” includes any service that benefits the community and involves student work, but that does not satisfy the six criteria for service learning identified in section II.A.2. Students may earn credit for such general community service to satisfy curricular requirements (such as IB or band), extracurricular requirements (such as club or honor society membership), school partnerships, or graduation requirements (such as the Virginia Department of Education’s diploma seal of excellence in civics).

**2. Application**

- a. FCPS does not control the service requirements or policies of outside groups such as IB and the Virginia Department of Education. For those groups, FCPS will use the sponsoring organization’s own community service requirements and policies but interpret those requirements and policies in the spirit of the guidelines provided in section III. of this Regulation. IB service requirements are listed at <http://ibo.org/diploma/curriculum/core/cas/>. VDOE service requirements for the diploma seal of excellence in civics are listed at [http://www.doe.virginia.gov/instruction/graduation/diploma\\_seals/index.shtml](http://www.doe.virginia.gov/instruction/graduation/diploma_seals/index.shtml).
- b. Schools may not modify state, IB or another outside organization’s service requirements without the permission of the Instructional Services Department. For all other community service programs and requirements, schools and programs may elect to apply the same rules for both service learning and general community service.
- c. Schools and programs may add additional requirements for general community service, unique to their school or program, provided they otherwise comply with section III., of this Regulation.

**III. SERVICE THROUGH FAITH-BASED, CIVIC, OR POLITICAL ORGANIZATIONS**

FCPS is constitutionally prohibited from endorsing or sponsoring religion or a particular political viewpoint; however, students will not be discouraged or inhibited from exercise of their rights of free speech, freedom of association, and free exercise of religion in the selection and crediting of service projects.

**A. FCPS-sponsored or initiated service projects**

1. Service learning activities or general community service projects that are sponsored, initiated, or selected by a school or any other FCPS-funded entity may not consist of or include:
  - a. any religious ceremonies, proselytizing, or worship, or any activity facilitating such ceremonies, proselytizing or worship;
  - b. advocacy in favor or against a political issue, political party, or a candidate in any local, state or national election;
  - c. fund-raising for any faith-based, civic or political organization.

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2. Schools and other FCPS-funded entities may partner with faith-based, civic, or political organizations for service projects and activities, so long as such activity or project complies with the restrictions set forth in section III.A.1.

For example, an elementary school may partner with a church so that students can participate in the operations of the church's soup kitchen. Likewise, a school may partner with a civic organization that operates a shelter for victims of abuse. On the other hand, the school cannot partner with an organization to sponsor a project in which students go door to door soliciting people to join a church, or in which students and teachers participate in prayer services, or in which students are assigned to work for a school-selected political party or candidate.

**B. Student-initiated service projects**

Students may receive credit for service projects performed through faith-based, civic, or political organizations, without regard to the restrictions in section III.A.1., as long as the student alone initiates and implements the service project, and the project satisfies the other requirements of this Regulation. For example, a student can receive service learning credit for providing religious instruction at a synagogue or mosque, or for giving a speech on behalf of a candidate at a political rally, if that activity satisfies the six requirements for service learning. A teacher may assign a student to participate in a political campaign of the student's choice, as part of a civics assignment for which the student also may receive service learning or general community service credit.

**IV. PROCEDURAL REQUIREMENTS**

- A. Each school shall identify a community service/service learning liaison to provide assistance to students and staff in the implementation and crediting of service projects. The liaison also shall serve as the point of contact for the school with others in the division.
- B. Students and teachers who have questions or concerns about service learning or other community service are encouraged to engage in dialogue with their school's community service/ service learning liaison.
- C. Students may receive credit for school-sponsored service, self-initiated service, or both, as long as the service complies with these guidelines.
- D. Schools shall credit the same service in multiple categories if the service qualifies. For example, a project to draft campaign finance reform legislation, which qualifies for both service learning credit and for honor society membership, should receive credit in both categories; the student should not be required to complete multiple community service projects for credit, if one such project qualifies for several purposes.
- E. The Instructional Services Department shall provide assistance to schools regarding the implementation of this regulation, and respond to questions.