

NONDISCRIMINATION

The Charlottesville City School Board is committed to nondiscrimination with regard to sex, sexual orientation, gender, gender identity, race, color, national origin, disability, religion, ancestry, age, marital status, pregnancy, childbirth or related medical conditions, ~~disability, status as a veteran,~~ military status genetic information or any other characteristic protected by law. This commitment prevails in all of its policies and practices concerning staff, students, educational programs and services, and individuals and entities with whom the Board does business.

- Adopted: July 16, 1998
- Revised: October 16, 2003
- Revised: December 20, 2007
- Revised: June 25, 2013
- Revised: June 19, 2018
- Revised: August 6, 202
- Revised:

- Legal Refs.: 20 U.S.C. §§ 1681-1688.
 29 U.S.C. § 794.
 42 U.S.C. §§ 2000d-2000d-7, 2000e-2000e-17, 2000ff-1.
 34 C.F.R. 106.9.
 Constitution of Virginia, article I, section 11.
 Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3
 22.1-295.2.

- | | | |
|--------------|----------|---|
| Cross Refs.: | GB | Equal Employment Opportunity/Nondiscrimination |
| | GBA/JFHA | Prohibition Against Harassment and Retaliation |
| | JB | Equal Educational Opportunities/Nondiscrimination |

FOUNDATIONS AND BASIC COMMITMENTS

File: AD

EDUCATIONAL PHILOSOPHY

At Charlottesville City Schools we are committed to personal and academic excellence inspired by a collaborative and innovative learning environment for everyone.

The Charlottesville School Board:

1. Provides the necessary trained and dedicated leadership, qualified personnel, equipment and materials to assure an appropriate education for every student;
2. Treats all members of the school community **equally equitably and** with ~~the highest degree of~~ respect;
3. ~~Attends to~~, allocates, and uses ~~tangible and intangible~~ assets fairly, equitably, and efficiently,

Adopted: July 16, 1998

Revised: December 20, 2007

Revised: June 25, 2013

Revised: June 19, 2018

Revised:

Legal References: Code of Virginia, 1950, as amended, §22.1-23.2, §22.1-78.

Cross References: AC Nondiscrimination
GA Personnel Policies Goals
GB/JB Equal Employment Opportunity/Nondiscrimination
~~GB Equal Employment Opportunity/Nondiscrimination~~
GBA/JFHA Prohibition Against Harassment and Retaliation
IGBC Parent and Family Engagement
JB Equal Education Opportunities/Nondiscrimination

FOUNDATIONS AND BASIC COMMITMENTS

File: AE

SCHOOL DIVISION GOALS AND OBJECTIVES

. Generally

Standards of Quality require school boards to adopt a division-wide comprehensive, unified, long-range plan (in place of the six-year plan) based on data collection, an analysis of the data, and how the data be utilized to improve classroom instruction and student achievement. The plan is required to include or be consistent with all other division-wide plans required by state and federal laws and regulations. Each local school board is required to review the plan biennially and adopt any necessary revisions. The Charlottesville School Board has developed and adopted a six year Strategic Plan to fulfill this Standard of Quality requirement.

. Vision

Every Learner. Every Day. Everyone.

Goals

Four goals form the foundation of the Strategic Plan for the Charlottesville City Schools, which provides a comprehensive, unified, long-range action plan to guide the direction of the school division over the next six years. The plan is intended to provide focus for major initiatives already underway within the school division and avenues to address division challenges.

Adopted: July 16, 1998

Revised: June 15, 2006

Revised: December 20, 2007

Revised: August 4, 2011

Reviewed: June 27, 2016

Revised: August 1, 2019

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-23.3, 22.1-253.13:1, 22.1-253.13:8.

FOUNDATIONS AND BASIC COMMITMENTS

File BBA

SCHOOL BOARD POWERS AND DUTIES

The School Board:

1. Adopts policy to provide for the day-to-day supervision of schools;
2. Sees that the school laws are properly explained, enforced and observed;
3. Secures, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and takes care that they are conducted according to law and with the utmost efficiency;
4. Cares for, manages and controls the property of the school division and provides for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
5. Provides for the consolidation of schools or redistricting of school boundaries or adopts pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
6. Insofar as not inconsistent with state statutes and regulations of the Board of Education, operates and maintains the public schools in the school division and determines the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools;
7. Performs such other duties as ~~shall be~~ are prescribed by the Board of Education or are imposed by law;
8. Obtains public comment through a public hearing not less than ten days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools; (ii) the transfer from the public school system of the administration of all instructional services for any public school classroom or all noninstructional services in the school division pursuant to a contract with any private entity or organization; or (iii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken;
9. Surveys, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, and school bus drivers and reports such

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File BBA

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critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or requests the superintendent to conduct such survey and submit such report to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System; and

10. Ensures that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or reregistration of any sex offender within the school division pursuant to Va. Code § 9.1-914.
11. Prescribes qualifications of all employees of the Charlottesville City Schools and fix salary schedules for such employees.
12. Employs and evaluates a superintendent.
13. On the recommendation of the Superintendent, employs teachers and other personnel as may be needed for the efficient operation of the schools.
14. Adopts broad goals and objectives for each aspect of the school system's operation based upon the identified needs of the community. Said goals are documented, reviewed and revised periodically in light of changing community needs.
15. Evaluates the performance and progress of the Charlottesville City School Division against the stated goals and objectives.
16. Reviews and approves the annual operating budget of the school system prepared by the superintendent and his/her staff to provide prudent utilization of public resources.
17. Provides leadership in presenting needs of the school system to local, regional, state and federal government or agencies, the general public or the media.
18. Communicates with various constituencies to receive input and gather support for public education.

Adopted: August 6, 1998
Revised: October 16, 2003
Revised: December 20, 2007
Revised: June 26, 2014
Reviewed: August 1, 2019
Revised: August 6, 2020
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70.3, 22.1-78, 22.1-79.
Cross Refs.: AF Comprehensive Plan
CBA Qualifications and Duties for the Superintendent
KN Sex Offender **and Crimes Against Minors** Registry Notification
Information

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SCHOOL BOARD GOVERNANCE AND OPERATIONS

File BBBA

QUALIFICATIONS FOR ELECTED SCHOOL BOARD MEMBERS

At the time of his/her ~~an~~ election, each member of the School Board must be a qualified voter and bona fide resident of the city and meet any other criteria set forth in state law. The Charlottesville City School Board shall consist of seven (7) members. If a Board member shall cease to be a resident of the city, his/her position on the School Board shall be deemed vacant.

No employee of the School Board shall be eligible to serve on the Board by whom he/she is employed.

Adopted: August 6, 1998
Revised: August 16, 2007
Revised: December 20, 2007
Reviewed: June 25, 2013
Reviewed:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-29, 22.1-30,
22.1-57.3

Cross Reference: BBE Unexpired Term Fulfillment

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BCA

SCHOOL BOARD ORGANIZATIONAL MEETING

The Charlottesville City School Board ~~will hold~~ holds an organizational meeting annually. At that meeting the Board ~~will~~

- ~~elects~~ one of its members as chair
- ~~approves~~ a designee of the superintendent to attend meetings of the School Board in case of the superintendent's absence or inability to attend, and
- ~~appoints~~, on the recommendation of the Superintendent, a clerk of the School Board.

Upon election, the chair ~~will~~ immediately ~~assumes~~ office and ~~presides~~ over the remainder of the meeting.

In addition, the Board

- ~~will~~ ~~elects~~ one of its members as vice-chair and
- ~~may~~ ~~appoints~~ a deputy clerk.

The vice-chair and deputy clerk, if any, ~~will be~~ are empowered to act in all matters in case of the absence or inability to act of the chair or clerk, respectively, or as otherwise provided by the Board.

The terms of the chair, clerk, vice-chair and deputy clerk ~~will be~~ are one year.

The Board's annual organizational meeting ~~will be~~ is held in January.

Adopted: August 6, 1998

Revised: August 16, 2007

Reviewed: December 20, 2007

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-76 Cross

Reference: BCB School Board Officials

CHARLOTTESVILLE CITY SCHOOLS

SCHOOL BOARD FOUNDATIONS AND GOVERNANCE

File: BDD

ELECTRONIC PARTICIPATION IN MEETINGS FROM REMOTE LOCATIONS

Except as provided hereafter, or as otherwise permitted by law, the School Board does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other communication means where the members are not physically assembled. **This policy is applied strictly and uniformly, without exception, to the entire membership of the School Board and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.**

For the purposes of this policy, "electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

I. Quorum Physically Assembled

A. **The School Board member may participate in conduct any meeting wherein the public business is discussed or transacted through electronic communication means from a remote location that is not open to the public:**

1. if, on or before the day of a meeting, ~~the School Board~~ **a member of the School Board** notifies the chair ~~of the School Board that he or she~~ **that such member** is unable to attend the meeting due a **temporary or permanent disability or other medical condition that prevents the member's physical attendance, a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, or that such member is unable to attend the meeting due to a personal matter** and identifies with specificity the nature of the personal matter, and
2. the School Board
 - a. approves the member's participation by a majority vote of the members present at a **the primary or central meeting location** and
 - b. ~~records in its minutes the specific nature of the personal matter and the remote location from which the member participated.~~

Participation by a School Board member by electronic communication means due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

B. If participation by a School Board member through electronic communication means is approved pursuant to subsection A above, the School Board

records in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved due to a temporary or permanent disability or other medical condition, the School Board also includes in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a personal matter, the School Board also includes in its minutes the specific nature of the personal matter cited by the member.

In deciding whether or not to approve a Board member's request to participate from a remote location, the Board shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

If a Board member's participation from a remote location **due to a personal matter** is disapproved, such disapproval will be recorded in the minutes with specificity.

~~Such participation by a School Board member shall be limited each calendar year to two meetings or~~

~~if a School Board member notifies the School Board chair that he or she is unable to attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance and the School Board records this fact and the remote location from which the member participated in its minutes:~~

C. A School Board member may participate in a meeting by electronic means pursuant to this section only when:

- a quorum of the School Board is physically assembled at the primary or central meeting location; and
- the School Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

II. Quorum Not Physically Assembled

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, **or the locality in which the School Board is located has declared a local state of emergency pursuant to Va. Code § 44-146.21,** provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency. **Provide for the continuity of operations of the School Board or the discharge of its lawful**

purposes, duties, and responsibilities.

If it holds a meeting pursuant to this section, the School Board shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- make arrangements for public access to the meeting **through electronic communications means, including videoconferencing if already used by the School Board and**
- **provides the public with the opportunity to comment at those meetings when public comment is customarily received.**
 - ~~make available to the public, at the time of the meeting, a copy of the proposed agenda and agenda packets and all materials, unless exempt, that will be distributed to members of the School Board and that have been made available to the School Board's staff in sufficient time for duplication and forwarding to all locations at which public access will be provided;~~
 - ~~record minutes of the meeting in accordance with Policy BDDG-Minutes; and~~
 - ~~record in the minutes votes taken by name in roll-call fashion.~~

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the meeting. ~~In addition, at such meetings the School Board will make available to the public a public comment form prepared by the Virginia Freedom of Information Advisory Council.~~

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III. Reporting

~~If the School Board meets by electronic means without a quorum physically assembled, it shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:~~

- ~~the total number of electronic communication meetings held that year~~
- ~~the dates and purposes of the meetings~~
- ~~a copy of the agenda for each meeting~~
- ~~the number of sites for each meeting~~
- ~~the types of electronic communication means by which the meetings were~~

held

- ~~the number of participants, including members of the public, at each meeting location~~
- ~~the identity of the members of the School Board recorded as absent and those recorded as present at each meeting location~~
 - ~~a summary of any public comment received about the electronic communication meetings~~
- ~~a summary of the School Board's experience using electronic communication meetings, including its logistical and technical experience~~

Adopted: August 16, 2007

Revised: December 20, 2007

Revised: June 19, 2008

Revised: June 25, 2013

Revised: June 26, 2014

Revised: June 20, 2017

Revised: August 6, 2020

Legal Ref.: Code of Virginia, 1950, as amended, §§ ~~2.2-3708, 2.2-3708.1, 2.2-3701, 2.2-3707, 2.2-3708.2~~, 2.2-3710.

Acts 2020, c. 1283.

Cross Ref.: BDDG Minutes

Charlottesville City Schools

FOUNDATIONS AND BASIC COMMITMENTS

File BDDC

AGENDA PREPARATION AND DISSEMINATION

The preparation of the proposed agenda is the responsibility of the School Board ~~chairman~~ chair with the assistance of the superintendent. Any member of the School Board may submit items for inclusion on the proposed agenda.

A copy of the proposed agenda and all agenda packets and materials is made available for inspection by the public at the same time such documents are furnished to the School Board members unless the materials are exempt under the Virginia Freedom of Information Act.

Adopted: August 6, 1998

Revised: October 16 2003

Revised: December 20, 2007

Reviewed: June 25, 2013

Revised: June 26, 2014

Revised: June 20, 2017

Revised:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 22.1-78.

Cross Refs.:	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings
	BDDA	Notification of School Board Meetings

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FOUNDATIONS AND BASIC COMMITMENTS

File BDDH/KD

PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Items for Discussion at School Board Meetings

Members of the community are invited and encouraged to attend meetings of the Charlottesville City School Board to observe its deliberations. Any member of the community may address the Board on matters related to the Charlottesville City Public Schools at any regular meeting as ~~provided in the accompanying regulation~~ follows:

1. The Clerk or Deputy Clerk will place a sign-up sheet at the podium prior to each regular meeting of the School Board.
2. Any member of the public wishing to speak will sign-in on the sheet.
3. At the specified time on the agenda for "Comments from the Community", the Board Chairperson will call each person to the podium for comments.
4. The Chairperson will describe the procedure and the amount of time each member will have for comments.
5. Generally, each community member will have three (3) minutes for comments.
6. If the community member is still speaking at the end of the allotted time, the Chairperson will explain that the time is over and that the comment period will end.

Persons wishing to address the School Board should contact the Superintendent, the School Board chair, or their designee for placement on the agenda.

Public Comment at School Board Meetings

The chair is responsible for the orderly conduct of the meeting and ~~shall rule~~ rules on such matters as the appropriateness of the subject being presented and suitability of the time for such presentation. At the conclusion of ~~his~~ the speaker's remarks, if any member of the School Board desires further information, the member ~~will address~~ addresses the speaker only with the permission of the chair. No one ~~will be~~ is allowed to make additional comments until everyone who wishes to speak has made their initial presentation.

~~A reasonable period of time, as determined by the School Board, will be allocated at each regular meeting for community members to present matters of concern.~~

Adopted: August 6, 1998
Revised: December 20, 2007
Reviewed: June 25, 2013
Revised: June 26, 2014
Revised: June 27, 2016
Revised:

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File BBA
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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7

Cross Refs.: BDDE Rules of Order

GENERAL SCHOOL ADMINISTRATION

File: CBA

QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

QUALIFICATIONS

The superintendent meets or exceeds the requirements set by the Board of Education.

The superintendent annually participates in high-quality professional development activities at the local, state, or national levels, on topics including the Standards of Quality, Board of Education regulations, and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.

MAJOR DUTIES

1. As chief executive officer of the school board, the superintendent
 - a. attends school board meetings,
 - b. implements school board policies and ensures that they are posted on the division's website,
 - c. reports to the school board about the status of programs, personnel and operations of the school division,
 - d. recommends actions to the school board,
 - e. facilitates communication between the school board and school personnel, f. assists the chairman in developing agenda of meetings of the school board, and g. develops regulations as directed by the school board.

2. As the educational leader of the school division, the superintendent
 - a. supervises the principals and assistant superintendents,
 - b. oversees planning and evaluation of curriculum and instruction,
 - c. develops for approval by the school board procedures for adopting textbooks and other instructional materials,
 - d. visits schools on a regular basis, and
 - e. maintains a current knowledge of developments in curriculum and instruction.

3. The superintendent enforces school laws and regulations, including by
 - a. observing directions and regulations prescribed by the Superintendent of Public Instruction or Board of Education,
 - b. reporting information to the Superintendent of Public Instruction as required, c. promptly distributing all reports, forms, laws and regulations received from the Superintendent of Public Instruction,
 - d. enforcing school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education, and
 - e. developing and maintaining procedures, guidelines and regulations to implement school board policy. If board action is required by law or the board has specifically asked that certain types of regulations be given prior board approval, these procedures, regulations and guidelines are presented to the school board for approval and, when approved, placed in the school board policy manual. The administrative

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procedures, guidelines and regulations are communicated to the staff and made available for their information.

4. The superintendent oversees staff personnel management, including by
 - a. organizing recruitment of personnel,
 - b. reassigning personnel in accordance with school board policy,
 - c. administering personnel policies and programs,
 - d. upon request of the School Board, surveying the school division at least annually to identify critical shortages of teachers and administrative personnel by subject matter and school bus drivers and reporting such critical shortages to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System;
 - e. supervising evaluation of personnel, and
 - f. providing for maintenance of up-to-date job descriptions for all personnel.

5. The superintendent oversees facility management, including by
 - a. preparing long- and short-range plans for facilities and sites,
 - b. providing for the maintenance of school property and safety of personnel and property,
 - c. inspecting, or providing for the inspection of, school property on a regular basis,
 - d. overseeing the utilization of school property,
 - e. monitoring any construction, renovation and demolition of school facilities,
 - f. representing the school division before local or state agencies which control building requirements or provide financing for buildings, and
 - g. closing public school buildings which appear to be unfit for occupancy.

6. The superintendent oversees financial management by
 - a. preparing the budget for school board approval,
 - b. ensuring that expenditures are within the limits approved by the school board,
 - c. reporting to the school board on the financial condition of the division,
 - d. establishing procedures for procurement of equipment and supplies, and
 - e. ensuring that an accurate record of all receipts and disbursements of school funds is kept.

7. The superintendent directs community relations activities, including by
 - a. articulating educational programs and needs to the community,
 - b. responding to concerns expressed in the community,
 - c. maintaining contact with the news media,
 - d. participating in community affairs, and
 - e. involving the community in planning and problem solving for the school division.

8. The superintendent oversees pupil personnel services by
 - a. monitoring pupil personnel services,
 - b. providing for an adequate pupil record system,

- c. implementing policies and programs relating to behavior and discipline of pupils,
- d. maintaining programs for the health and safety of pupils, and
- e. facilitating communication between the school division and community agencies.

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Adopted: April 3, 1998

Revised: December 11, 2003

Revised: December 20, 2007

Revised: June 16, 2011

Revised: June 30, 2015

Revised: June 20, 2019

Revised: August 1, 2019

Revised: August 6, 2020

Legal Ref.: Constitution of Virginia, article VIII, § 5.

Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-70.3, 22.1-79, 22.1-136; 22.1-253.13:5, 22.1-253.13:7.

8 VAC 20-23-50.

8 VAC 20-23-630.

8 VAC 20-390-10.

8 VAC 20-390-40.

8 VAC 20-390-50.

8 VAC 20-390-60.

8 VAC 20-390-70.

8 VAC 20-390-80.

8 VAC 20-390-90.

8 VAC 20-390-100.

8 VAC 20-390-110.

Cross Refs.: BBA School Board Powers and Duties

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Charlottesville City Schools

GENERAL SCHOOL ADMINISTRATION

File: CBG

EVALUATION OF THE SUPERINTENDENT

It is the responsibility of the Charlottesville City School Board to maintain and improve the quality of administration and instruction. One of the primary methods in carrying out this responsibility is to work with the Superintendent in improving ~~his or her~~ the superintendent's effectiveness.

Annually, the Superintendent provides the Board with a work plan designed to implement the goals set for the division by the School Board. The School Board shall evaluate the Superintendent annually. The School Board develops the instrument to evaluate the Superintendent after consulting the uniform performance standards and criteria developed by the Board of Education and the Superintendent. The Superintendent's evaluations include student academic progress as a significant component and an overall summative rating. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. Informal evaluations may take place as the School Board deems appropriate, provided that the purpose for such appraisals be communicated to the Superintendent.

Each Board member is involved in assessing the Superintendent's job performance on a continuing basis and by completing the formal evaluation instrument. Upon conclusion of the annual performance appraisal, the evaluation is reviewed with the Superintendent by the Board or its designees.

Adopted: April 3, 1999
Revised: October 21, 1999
Revised: May 4, 2006
Revised: December 20, 2007
Revised: June 16, 2011
Revised: June 25, 2013
Revised: June 19, 2018
Revised:

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-60.1

Guidelines for Uniform Performance Standards and Evaluation Criteria for Superintendents, Virginia Board of Education, as revised on ~~July 23, 2015~~ **November 13, 2019**)

Cross Reference: CBA Qualifications and Duties for the Superintendent

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GENERAL SCHOOL ADMINISTRATION

File: CH

POLICY IMPLEMENTATION

Development of Regulations

The School Board authorizes the superintendent to ~~promulgate such regulations as are~~ **create and update regulations** necessary to carry out the policies adopted by the Board. If Board action is required by law or the Board asks that certain regulations or types of regulations be approved by the Board, the Superintendent will present those regulations to the Board for action. The Superintendent shall make all regulations available to School Board members, employees and the public and see that the regulations are placed in the School Board Policy Manual or are kept with the Policy Manual.

Dissemination of Regulations

Administrators and supervisors are responsible for informing staff members of all newly adopted regulations.

Adopted: April 3, 1998

Revised: December 20, 2007

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

Legal Reference: Code of Virginia, 1950, as amended, ~~section §§ 22.1-23.3,~~

22.-178.

Cross Reference: BF Board Policy Manual

BFC Policy Adoption

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Charlottesville City Schools

FISCAL MANAGEMENT

File DIA

REPORTING PER PUPIL COST

Upon preparing the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the schools, the ~~division~~ superintendent ~~will also prepare and distribute, also prepares and distributes~~, within a reasonable time as prescribed by the Board of Education, notification of the estimated average per pupil cost for public education in the school division for the coming school year in accordance with the budget estimates provided to the appropriating body. The notification ~~will also include~~ includes actual per pupil state and local education expenditures for the previous school year. The notice may also include federal funds expended for public education in the school division.

The notice ~~will be~~ is made available in a form provided by the Department of Education and ~~shall be~~ published on the school division's website or in hard copy upon request.

Adopted: April 3, 1998
Revised: May 20, 2004
Revised: June 19, 2008
Revised: June 16, 2011
Revised: July 5, 2012
Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, § ~~22.1-92(A)~~; 22.1-92.

Cross Reference: DB Annual Budget

FISCAL MANAGEMENT

File DJF

PURCHASING PROCEDURES

All procurements made by the school division are in accordance with the Virginia Public Procurement Act.

Certification Regarding ~~Sex Offenses~~ Certain Offenses

As a condition of awarding a contract for the provision of services that require the contractor or his employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities, the School Board requires the contractor to provide certification of whether any individual who will provide such services have not has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse or rape of a child, or any crime of moral turpitude.

This requirement does not apply to a contractor or employees of the contractor providing services to the school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or employees of the contractor will have no direct contact with students.

Award of Contracts When Individuals Who Will Provide Services Have Been Convicted of Certain Crimes

The School Board will not award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child.

The School Board may award a contract for the provision of services that require the contractor or employees of the contractor to have direct contact with students on school property during regular school hours or during school-sponsored activities when any individual who provides such services has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, the Governor has restored the individual's civil rights.

Unauthorized Aliens

The School Board provides in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

Discrimination by Contractor Prohibited

The School Board includes the following provisions in every contract of more than \$10,000:

1. During the performance of this contract, the contractor agrees as follows:
 - a. The contractor will not discriminate against any employee or applicant for

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employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination Clause.

- b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
 - c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.
2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Adopted: May 20, 2004
Revised: August 16, 2007
Revised: June 19, 2008
Revised: June 16, 2011
Reviewed: June 27, 2016
Revised: August 6, 2020
Revised:

Legal Reference: Code of Virginia, 1950, as amended, §§ ~~2.2-4300 et seq.~~, 2.2-4311, 2.2-4311.1, 22.1-296.1.

Cross Reference: GCDA Effect of Criminal Conviction
IGBGA Online Courses and Virtual School Programs
KN Sex Offender and Crimes Against Minors Registry
Notification Information

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SUPPORT SERVICES

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FOOD SERVICES

Generally

Employees of Charlottesville City School Board do not require a student who cannot pay for a meal at school or who owes a school meal debt to throw away or discard a meal after it has been served to the student, do chores or other work to pay for such meals or wear a wristband or hand stamp.

The Charlottesville City school division provides free and reduced-price breakfasts, lunches and milk to students according to the terms of the National School Lunch Program and the National School Breakfast Program.

Competitive foods, as defined herein, comply with state and federal requirements.

The Charlottesville City School Board may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose. **The School Board does not file lawsuits against a student or the student's parent because the student cannot pay for a meal at school or owes a school debt.**

Free and Reduced Price Food Services

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or superintendent's designee establishes regulations or 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 and milk is publicly announced at the beginning of each school year and provided to parents of all children in attendance at Charlottesville City schools.

If the School Board collects information to determine eligibility for participation in the National School Breakfast Program or the National School Lunch Program, it posts prominently on its website a web-based application for student participation in such program and provides a paper-based application.

Employees of Charlottesville City School Board do not physically segregate, overtly identify, or otherwise discriminate against any child eligible for free or reduced price meals.

The superintendent or designee is responsible for establishing procedures by which excel food may be distributed to enrolled students, vapping excel food for later consumption, or donating food.

Definitions

“Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day. Competitive

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foods meet the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium.

"Excess food" means any remaining unexpired, unopened, and unconsumed food intended to be served as part of a reimbursable meal that was unable to be utilized for a current or future meal provision after a school has served breakfast and lunch to students during a school day.

"Fundraiser" means a school-sponsored activity where food or nonfood items are sold on the school campus during regular school hours by a school-sponsored organization to raise money for a school-related program or activity. One fundraiser is defined as one or more fundraising activities by one or more school-sponsored organizations that last one school day. If multiple school-sponsored organizations conduct fundraisers on the same day, the combined activities are counted as one fundraiser. If a fundraising activity lasts more than one school day, each subsequent day's activity is considered as one fundraiser and counts toward the total number of permitted fundraisers.

“School campus” means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

“School day” means the period from the midnight before to 30 minutes after the end of the official school day.

School Sponsored Fundraisers

Each school may conduct three school-sponsored fundraisers per school year during which food that does not meet the nutrition guidelines for competitive foods may be available for sale to students. Fundraisers are not conducted during school meal service times.

Unpaid Meal Charges

Negative balance status can be avoided by making a payment in the form of cash directly sent to the cafeteria cashier. Additionally, one can pay by credit card on the Food Service online payment system called www.mypaymentsplus.com located on the District website under the Food Services section.

Students with a negative balance will be provided with lunch choices from the posted

school menu. Any student whose account reaches the charge limit of \$25.00 and who does not bring a lunch from home will not be allowed to purchase a la carte foods.

Notices of low or negative balances in a student's meal account are to be sent as well as orally communicated to parents/guardians and the school principal. Parents/Guardians whose student has a negative balance status must either pay the cash value of the school meal each day

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or bring a lunch from home. Monies deposited to a negative balance account must first be used to satisfy the negative balance. Balance reports for students with negative account balances will be reviewed weekly and sent home to parents/guardians.

If a parent regularly fails to provide meal money or send food to school with the student and the student does not qualify for free or reduced benefits the child nutrition director will inform the principal, who will determine the next course of action, which may include engaging the school social worker **or notifying the Department of Social Services** of suspected child neglect ~~and/or taking legal steps to recover the unpaid meal charges.~~

If payment of the negative balance is not received within 10 working days of the maximum charge limit being reached, the debt may be turned over to the superintendent or superintendent's designee for collection. If the debt is not paid within 10 days after the school year has ended, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.

The superintendent ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt. In order to accomplish those goals, the following procedures are followed:

A la carte foods are not part of the School Lunch Program and cannot be charged if a student has a zero or negative balance.

Recordkeeping

The Charlottesville School Board is responsible for maintaining records that document compliance with this policy. Those records include documentation used to assess the nutritional profile of food items and determine whether a food item is an allowable competitive food, such as recipes, nutrition labels and/or product specifications for the competitive food available for sale to students.

The School Board is also responsible for

- maintaining records documenting compliance with the competitive food nutrition standards for food available for sale in areas that are outside of the control of the school nutrition programs operations,
- ensuring any organization or school activity designated as responsible for food service at the various venues in the school, other than the school nutrition programs, maintains records documenting compliance with the competitive food nutrition standards,
- maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school within the division, and

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- designating an individual at the division or school level to monitor and ensure compliance with this policy in all areas that are outside the control of the school nutrition programs operation. The designee may not be a school nutrition personnel.

Adopted: April 3, 1998
 Revised: May 15, 2008
 Revised: June 18, 2009
 Reviewed: June 26, 2014
 Revised: January 8, 2015
 Revised: June 20, 2017
 Revised: August 1, 2019
 Revised: August 6, 2020

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

7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.

U.S. Department of Agriculture, SP 23-2017 Unpaid Meal Charges: Guidance and Q&A, March 23, 2017.

U.S. Department of Agriculture, SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016.

Code of Virginia, 1950, as amended, § §§ 22.1-79.7, 22.1-207.2:2, 2.1-207.3. 22.1- 207.3, 22.1-207.4, 63.2-1509.

8 VAC 20-290-10.

8 VAC 20-740-10.

8 VAC 20-740-30.

8 VAC 20-740-35.

Cross Refs: GAE Child Abuse and Neglect Reporting

JHCF Student Wellness

KH Public Gifts to the Schools

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File: EGAA

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 permits 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 Charlottesville City 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 media specialist 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~~ the staff member's 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 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: April 3, 1998

Revised: May 15, 2008

Revised: June 19, 2008

Reviewed: June 25, 2013

Revised: June 26, 2014

Reviewed: August 1, 2019

Revised:

Legal References: 17 U.S.C § 101 et seq.;

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

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File: GAA

STAFF TIME SCHEDULES

Work Schedules

The Charlottesville City School Board recognizes the need for establishing daily time schedules for all employees that provide for consistency throughout the school system. The School Board also recognizes the need for daily time schedules to allow for differences in responsibilities and requirements in the variety of positions held by school system employees.

The Superintendent or designee shall be authorized to establish daily time schedules for all classifications of employees that shall be subject to School Board review. In setting such schedules, consideration must be given but not be limited to evening and weekend responsibilities, wage and hour regulations, comparative schedules of employees in other school systems, and schedules established by other employers in the community that provide a generally accepted standard.

The workday for full-time licensed and professional staff is a minimum of seven hours and thirty minutes and continues until professional responsibilities to the students and school division are completed. Administrative meetings, curriculum development, pupil supervision, assigned duties, parent conferences, group or individual planning and extra-curricular activities may require hours beyond the stated minimum. Elementary school classroom teachers are provided at least an average of thirty minutes per day during the students' school week as planning time. Each full-time middle and secondary classroom teacher is provided one planning period per day, or the equivalent, as defined by the Board of Education, unencumbered of any teaching or supervisory duties. If a middle or secondary school classroom teacher teaches more than the standard load of students or class periods per week, as defined by the Board of Education, an appropriate contractual arrangement and compensation is provided. Work schedules for other employees are defined by the superintendent or superintendent's designee consistent with the Fair Labor Standards Act and the provisions of this policy.

Workweek Defined

For purposes of compliance with the Fair Labor Standards Act, the workweek for employees of Charlottesville City School Board is 12:00 a.m. Saturday until 11:59 p.m. Friday.

Overtime and Compensatory Time

Working hours for all employees not classified as exempt under the Fair Labor Standards Act, including secretaries, bus drivers, cafeteria, janitorial and maintenance personnel, conform to federal and state regulations. The superintendent ensures that job positions are classified as exempt or non-exempt and that employees are made aware of such classifications. Supervisors make every effort to avoid circumstances which require non-exempt employees to work more than 40 hours each week. The Charlottesville City School Board discourages overtime work by non-exempt employees. A non-exempt employee will not work overtime without the express approval of the employee's supervisor. All overtime work must be expressly approved in writing by the superintendent or superintendent's designee. All supervisory personnel must monitor overtime on a weekly basis and report such time to the superintendent or superintendent's designee. Principals and supervisors monitor employees' work, ensure that overtime provisions of this policy and the Fair Labor Standards Act are followed and ensure that all employees are compensated for any overtime worked. Principals or supervisors may need to adjust daily schedules to prevent non-exempt employees from working more than 40 hours in a workweek.

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For overtime and compensatory time, accurate and complete time sheets of actual hours worked during the workweek must be approved by each approver/supervisor. The finance officer reviews work records of employees on a regular basis to make an assessment of overtime use.

~~In lieu of overtime compensation, non-exempt employees may receive compensatory time off at a rate of not less than one and one-half (1.5) hours for each one hour of overtime worked, if such compensatory time~~

- ~~(1) is pursuant to an agreement between the employer and employee reached before overtime work is performed, and~~
- ~~(2) is authorized by the immediate supervisor.~~

Non-exempt employees whose workweek is less than 40 hours are paid at the regular rate of pay for time worked up to 40 hours. Such employees are provided overtime pay ~~or compensatory time~~ as provided above for working more than 40 hours in a workweek.

~~Employees are provided with a copy of this policy and are required to sign this policy to acknowledge their understanding of overtime and compensatory time provisions. Such signed policy constitutes the written agreement required in this section.~~

Attendance Expectations

All employees are expected to be present during all work hours. Absence without prior approval, chronic absences, habitual tardiness or abuses of designated working hours are all considered neglect of duty and will result in disciplinary action up to and including dismissal.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 18, 2009
Revised: July 5, 2012
Revised: August 1, 2019
Revised:

Legal Refs.: 29 U.S.C. § 201 et seq. 29 U.S.C. §§203.207

29 C.F.R § 516.1 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-253.13:2, 22.1-253.13:3,
22.1-291.1, ~~40.1-28.8 et seq.~~ 40.1-29.2

8 VAC 20-131-240.

Cross Ref.: IC/ID School Year/School Day

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File: GAB/IIBEA

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of Charlottesville City Schools' computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy. **Policy and the Technology Use Guidelines established by the superintendent.**

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. **The superintendent is also responsible for reviewing and updating, as necessary, the Guidelines at least every two years.** It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

- ~~(1) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;~~
- (1) a prohibition against use of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having internet access to filter or block internet access through such computers, that seek to prevent access to:
 - a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

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- c. material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- (3) provisions establishing that the technology protection measure is enforced during any use of CCS computers;
- (4) provisions establishing that all usage of the computer system may be monitored;
- (5) provisions designed to **educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking website, blogs, in chat rooms, and cyberbullying awareness and response;**
- (6) **provisions designed to** prevent unauthorized online access, including “hacking” and other unlawful online activities;
- (7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;
- (8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- (9) a component of internet safety for students that is integrated in the division’s instructional program.

Use of the CCS computer system ~~shall~~ **must** be consistent with the educational or instructional mission or administrative function of the school division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The CCS computer system is not a public forum.

Users of the division’s computer system have no expectation of privacy for use of the division’s resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division’s computer system without the prior approval of the superintendent or superintendent’s designee.

Each user of the division's computer system and a parent/guardian of each student user shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E1, before using the CCS computer system.

The failure of any user to follow the terms of ~~the Agreement~~, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the internet. Furthermore, the School Board ~~will not be~~ **is not** responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board ~~will review, amend if necessary, and approve~~ **reviews and amends, if necessary,** this policy every two years.

Adopted: October 21, 1999

Revised: July 19, 2007

Reviewed: March 20, 2008

Revised: June 17, 2010

Revised: September 1, 2011

Revised: June 25, 2013

Revised: August 1, 2019

Revised:

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1- 70.2, and 22.1-78.

Cross Refs.: EGAA Reproduction and Use of Copyrighted Materials

GBA/JHFA Prohibition Against Harassment and Retaliation

GCPD Professional Staff Discipline

GCQB Staff Research and Publishing

JFC Student Conduct

~~JFC-R Standards of Student Conduct~~

PERSONNEL

File: GB

EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION

A. Generally

The Charlottesville City School Board is an equal opportunity employer, committed to nondiscrimination in recruitment, selection, hiring, pay, promotion, retention ~~or~~ **and** other personnel actions affecting employees or candidates for employment. Therefore, discrimination in employment against any person on the basis of sex, sexual orientation, gender, gender identity, race, color, creed, national origin, disability, religion, ancestry, age, pregnancy, childbirth or related medical conditions, marital or ~~status as a veteran,~~ **military status** physical or mental, genetic information, sexual orientation, gender identity or expression, political affiliation, disability or any classification protected by applicable law is prohibited. Personnel decisions shall be based on merit and the ability to perform the essential functions of the job, with or without reasonable accommodation.

~~The School Board shall provide facilities, programs and activities that are accessible, usable and available to qualified persons with disabilities. Further, the School Board shall not discriminate against qualified disabled persons with disabilities in the provision of health, welfare and other social services.~~

The statement, "*The Charlottesville City School Board is an Equal Opportunity Employer*" shall be placed on all employment application forms.

B. Notice of Policy/Prevention

This policy shall be (1) posted in prominent areas of each school division building, (2) included in employee handbooks (3) located on the school division website, and (4) provided to any employee or candidate for employment upon request. Training to prevent prohibited discrimination should be included in employee in-service training.

C. Employee Compliance

All Charlottesville City School Board employees are expected to act in a non discriminatory manner towards other employees and students. Acts of discrimination by employees will not be tolerated and will be the subject of disciplinary action up to and including discharge.

D. Complaint Procedure

A. File Report

Any person who believes he has not received equal employment opportunities should report the alleged discrimination to one of the compliance officers designated in this policy. **The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence.** Any employee who has knowledge of conduct which may constitute prohibited

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discrimination shall report such conduct to one of the compliance officers designated in this policy.

The reporting party should use the form, GB-F, to make complaints of discrimination. However, oral reports and other written reports will also be accepted. The complaint must be filed with one of the compliance officers designated in this policy. Any complaint that involved the compliance officer shall be reported to the Superintendent.

The complaint and the identity of the complainant and the person or persons allegedly responsible for the discrimination will be disclosed only to the extent necessary to fully investigate the complaint and only when such disclosure is required or permitted by law. A complainant who wishes to remain anonymous will be advised that anonymity may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which generally should be no later than 14 calendar days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer will acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the complainant and the Superintendent. If the compliance officer determines that more than 14 days will be required to investigate the complaint, the complainant and the Superintendent will be notified of the reason for the extended investigation and the date by which the investigation will be conducted.

The investigation may consist of personal interviews with the complainant, the person(s) alleged to have violated the policy and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. **The investigation will consider sitenesses and evidence from both the complainant and the person(s) responsible for the alleged discrimination.** The investigation may also consist of the inspection of any other documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case by case determination based on all of the facts and circumstances revealed after a complete and thorough investigation.

The Compliance Officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint alleges the Superintendent has violated this policy, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperative with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by Superintendent

Within 5 calendar days of receiving the Compliance Officer's report, the Superintendent or Superintendent's designee shall issue a written decision regarding (1) whether this policy was violated and (2) what action, if any, should be taken.

If the complaint alleges that the Superintendent has violated this policy, the School Board's standing Equal Employment Opportunity/Nondiscrimination Committee shall make the decision and determine what action should be taken. If the School Board does not have such a standing committee, at its next scheduled meeting it shall appoint a committee consisting of three of its members to handle the matter. The committee shall issue a written decision within 14 calendar days of the time the School Board receives the Compliance Officer's report or the time a committee is appointed, if there is no standing committee.

The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken. The written decision must be mailed to or personally delivered to the complainant within five calendar days of the issuance of the decision. If the Superintendent, superintendent's designee or committee concludes that prohibited discrimination occurred, the Charlottesville City School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to and including dismissal. **The written decision shall state (1) whether this policy was violated and (2) what action, if any, should be taken.**

The written decision must be mailed to or personally delivered to the complainant within 5 calendar days of the issuance of the decision. If the Superintendent, Superintendent's designee or committee includes that prohibite discrimination occurred, the Charlottesville School Divison shall take prompt, appropriate action to address and remedy the violation as well as prevent ay recurrence. Such action may include discipline up to and including dismissal.

D. Appeal

If the Superintendent, superintendent's designee or committee determines that no prohibited discrimination occurred, the person who was allegedly subjected to discrimination may appeal this finding to the School Board within 5 calendar-school-days of receiving the decision. Notice of appeal must be filed with the Superintendent, or with a member of the committee which issued the written decision, who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar

days of receiving the record.

The School Board may ask for oral or written argument from the aggrieved party and the Superintendent, superintendent's designee or the committee, whichever issued the written decision, and any other individual the School Board deems relevant. Written notice of the School Board's decision will be given to the complainant.

Employees may choose to pursue their complaints arising under this policy through the relevant employee grievance procedure instead of the complaint procedure in this policy.

E. Compliance Officer and Alternate Compliance Officer

The Superintendent designates a Compliance Officer responsible for identifying, preventing and remedying discrimination as well as receiving complaints under this Policy. The name and contact information for the Compliance Officer is posted on the Division's website at all times.

The Compliance Officer will be the Director of Human Resources, 1562 Dairy Road, Charlottesville, VA 22901. The Alternate Compliance Officer will be the Assistant Superintendent for Finance and Operations also located at 1562 Dairy Road, Charlottesville, VA 22901. Both officers may be contacted at 434-245-2400. All employees will be notified of the name, office address and telephone number of the designee.

The Compliance Officer:

- receives reports or complaints of discrimination;
- conducts or oversees the investigation of any alleged discrimination;
- assesses the training needs of the school division in connection with this policy;
- arranges necessary training to achieve compliance with this policy;
- ensures that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal employment opportunity, including the authority to protect the alleged victim and others during the investigation.

F. Retaliation

Retaliation against employees who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any employee who retaliates against another employee or candidate for employment who reports alleged discrimination or participates in related proceedings. The Compliance Officer informs persons who make complaints, who are the subject of complaints and who participate in investigations of how to report any subsequent problems.

G. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or

federal law.

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H. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee orientations and in service training.

This policy is (1) displayed in prominent areas of each division building in a location accessible to school personnel and (2) included in employee handbooks. All employees are notified annually of the names and contact information of the Compliance Officers.

I. False Charges

Employees who make false charges of discrimination shall be subject to disciplinary action.

Adopted: February 19, 2000

Revised: August 3, 2000

Revised: March 4, 2004

Revised: April 17, 2008

Revised: June 23, 2013

Revised: June 30, 2015

Revised: August 6, 2020

Revised:

Legal Refs.: 20 U.S.C. § 1681 et seq.

29 U.S.C. § 701.

42 U.S.C. §§ 6101 et seq., 2000e-2 et seq., 2000ff-1(a) and 12101 et seq.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902,
2.2-3905.1, 22.1-23.3, 22.1- 295.2, 22.1-306.

Cross Refs: AC Nondiscrimination
AD Educational Philosophy
BCE School Board Committees
GB-F Report of Discrimination
GBA/JFHA Prohibition Against Harassment and Retaliation
GBM Professional Staff Grievances
GBMA Support Staff Grievances
GCPD Professional Staff Discipline
JB Equal Educational Opportunities/Nondiscrimination
KKA Service Animals in Public Schools

PERSONNEL/STUDENT SERVICES

File: GBA/JFHA

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Charlottesville City School Division is committed to maintaining a ~~learning/working~~ **educational** environment **and workplace** that is free of ~~sexual harassment and from~~ harassment. **In accordance with the law, the Board prohibits harassment against students, employees or others on the basis of based on sex, gender, race, color, national origin, disability, religion, ancestry, age, marital status or veteran's status military status, pregnancy, childbirth or related medical conditions, physical or mental, genetic information, sexual orientation, gender identity or expression, political affiliation, or disability or any other characteristic protected by law or based on an belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.** Therefore, the Charlottesville City School Division prohibits sexual harassment and harassment based on race, national origin, disability or religion, exists, and hereinafter referred to as protected group status, of any school personnel at school or at any school-related activity.

It shall be a violation of this policy for any student or school personnel to harass any student or school personnel based on protected group status **at school or any school sponsored activity.** Further, it shall be a violation of this policy for any school personnel to tolerate ~~sexual harassment or~~ harassment based on a student's or employee's protected group status **at school or any school sponsored activity,** by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The School Division ~~shall:~~

- (1) promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- (2) promptly takes appropriate action to stop any harassment and
- (3) takes appropriate action against any student or school personnel who violates this policy and
- (4) takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

“Consent” is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or that conduct or communication substantially or unreasonably interferes with an individual’s employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student’s or an employee’s ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
 - sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual’s body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual’s body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
 - display or written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

“Sexual harassment prohibited by Title IX” means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual’s participation in unwelcome sexual conduct;

- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board’s education program or activity; or
- “sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. § 12291(a)(8), “domestic violence” as defined in 34 U.S.C. § 12291(a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual’s race, national origin, disability or religion when the conduct:

- (i) creates an intimidating, hostile or offensive working or educational environment;
- (ii) substantially or unreasonably interferes with an individual’s work or education; or
- (iii) otherwise is sufficiently serious to limit an individual’s employment opportunities or to limit a student’s ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person’s race, national origin, disability or religion
- hostile acts which are based on another’s race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

C. Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

“Title IX” means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

Title IX Coordinator means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX.

The Title IX Coordinator may be contacted at the Division Administration Office 1562 Dairy Road Charlottesville, Virginia 22903.

III. Complaint Procedures

The complaint process has both formal and informal procedures for addressing the

complaint. Both procedures are described in accompanying regulations, while timelines are prescribed, school officials investigating a complaint will attempt to resolve the issue

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as soon as possible. Any staff member who wants to file a complaint is able to informally inform a school official at the school or central office who will assist in following the appropriate procedures.

IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School Division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the compliance officers.

VII. False Charges

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted: September 21, 2000

Revised: June 19, 2008

Revised: June 16, 2011

Revised: June 30, 2015

Revised: August 6, 2020 Revised:

Legal References: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7
42 U.S.C. §§ 2000e-2000e-17
42 U.S.C. § 2000ff-1

34 C.F.R. 106.2, 106.8, 106.9, 106.30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902,
22.1-23.3, 22.1- 295.2.

Cross References: AC Nondiscrimination
AD Educational Philosophy
GAB/IIBEA Acceptable Computer System Use
GB Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F Report of Harassment
GBM Professional Staff Grievances
GBMA Support Staff Grievances
JB Equal Educational Opportunities/Nondiscrimination
JFC Student Conduct
GCPD Professional Staff Discipline
GAE Child Abuse and Neglect Reporting
KKA Service Animals in Public Schools

PROHIBITION OF ABUSIVE WORK ENVIRONMENTS

Generally

The Charlottesville City School Board prohibits abusive work environments in the school division.

Any ~~school board~~ School Board employee who contributes to an abusive work environment is appropriately disciplined.

Retaliation or reprisal against ~~school board~~ School Board employees who make allegations of abusive work environments or assist in the investigation of allegations of abusive work environments is prohibited.

Definitions

As used in this policy.

"Abusive conduct" means conduct of a School Board employee in the workplace that a reasonable person would find hostile and that is severe enough to cause physical harm or psychological harm to another School Board employee based on a determination in which the following factors are considered: the severity, nature, and frequency of the conduct and, when applicable, the continuation of the conduct after a School Board employee requests that it cease or demonstrates outward signs of physical harm or psychological harm in the face of the conduct. "Abusive conduct" includes verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; the gratuitous sabotage or undermining of another School Board employee's work performance; attempts to exploit another School Board employee's known psychological or physical vulnerability; or repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, or epithets. "Abusive conduct" does not include (i) a single act, unless it is especially severe, or (ii) conduct that the School Board proves with clear and convincing evidence is necessary for the furtherance of its legitimate and lawful interests.

"Abusive work environment" means a workplace in the school division in which abusive conduct occurs.

"Physical harm" means a material impairment of a School Board employee's physical health or bodily integrity, as documented by a licensed physician or another licensed health care provider.

"Psychological harm" means a material impairment of a School Board employee's mental health, as documented by a licensed psychologist, psychiatrist, or psychotherapist or another licensed mental health care provider.

Adopted:

Revised:

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-291.4.

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File: GBEA

UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE

Generally

The Charlottesville City School Board is committed to maintaining a Drug-Free Workplace.

Prohibited Conduct

Employees may not unlawfully manufacture, distribute, dispense, possess or use a controlled substance, **including alcohol**, on school property, at any school activity or on any school-sponsored trip. It is a condition of employment that each employee of the Charlottesville City School Board will not engage in such prohibited conduct and will notify the Charlottesville City School Board of any criminal drug conviction for a violation occurring on school property, at any school activity or on any school-sponsored trip no later than 5 days after such conviction.

Discipline

Within 30 days of receiving notice from a School Board employee as described above, the superintendent and School Board will take appropriate personnel action up to and including dismissal of any employee found to have engaged in prohibited conduct listed above or require satisfactory participation in a drug abuse assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency.

Distribution of Policy

All employees are given a copy of this policy.

Drug-Free Awareness Program

The Charlottesville City School Board shall establish a drug-free awareness program to inform its employees about the dangers of drug abuse in the workplace, the Board's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs and the penalties that may be imposed upon employees for violations of laws and policies regarding drug abuse.

Adopted: February 19, 1998

Revised: March 20, 2008

Revised: June 16, 2011

Reviewed: June 27, 2016

Revised: August 6, 2020

Revised:

Legal Refs.: 41 U.S.C. §§ 8103, 8104.

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

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Cross Refs.: GCPD Professional Staff Discipline GDQ
School Bus Drivers

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File GBG

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Charlottesville City School Board recognizes the right of its employees to engage in political activity. The Board also recognizes that school time and school property should not be used for partisan political purposes. Thus, in ~~his or her~~ when engaging in political activities, an employee may not

- use ~~his/her~~ the employees's position within the school division to further a political cause;
- engage in any activity supporting or opposing a candidate or political party while on duty, while on school property during school hours, or while representing the school division;
- suggest in any manner that the school division or any component of it supports or opposes a candidate for election to any office; or
- use any school division property to engage in any activity supporting or opposing a candidate for public office or a political party.

These restrictions are not intended to limit the rights of school division employees to support or oppose any political candidate or party on their own time. They are intended to minimize distractions from instruction, to assure that no public funds are used to support any candidate for public office, and to assure that the public is not given the false impression that the school division supports or opposes any political candidate or party. School division employees who engage in political activities on their own time must make it clear that their views and actions represent their individual positions and do not represent the views of the school division.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: March 5, 2012
Revised:

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

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File: GBL

PERSONNEL RECORDS

Present and past employees shall have access to their personnel information maintained by the school division. ~~No separate employee files shall be maintained regarding an employee which is not available for that employee's inspection.~~

If information relative to employment is requested by banks or other establishments or individuals, written permission from the employee to release such information is required, except to comply with a judicial order, a lawfully issued subpoena, the Virginia Freedom of Information Act (Va. Code § 2.2-3700 et seq.), or other law or court order. The employee will be notified of the request for records.

The Superintendent or his/her designee shall maintain a personnel file system for all employees of the Charlottesville City Schools. Personnel files of all School Board employees may be produced and maintained in digital or paper format.

Teacher performance indicators, or other data collected by or for the Department of Education or the School Board or made available to and able to be used to judge the performance or quality of a teacher, maintained in a teacher's personnel file or otherwise is confidential but may be disclosed, in a form that does not personally identify any student or other teacher, (i) pursuant to court order, (ii) for the purposes of a grievance proceeding involving the teacher, or (iii) as otherwise required by state or federal law. Nothing in this policy prohibits the release of or limits the availability of nonidentifying, aggregate teacher performance indicators or other data.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 25, 2013
Revised: June 27, 2016
Revised:

Legal References: Code of Virginia, 1950, as amended, sections 22.1-295.1, 2.2-3700 et.seq., 2.2-3800 et.seq, and 40.1-28.7:4

Cross Reference: CBA Qualifications and Duties for the Superintendent
GA Personnel Policies and Goals
GBLA Third Party Complaints Against Employees

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File GCBA

STAFF SALARY SCHEDULES

The School Board ~~shall annually establish and approve~~ establishes and approves salaries for all school employees.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Revised: July 5, 2012

Revised:

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-78, ~~22.1-289.1~~, 22.1-313.

PERSONNEL

File GCBC

STAFF ~~FRINGE~~ BENEFITS

The Charlottesville City School Board recognizes the need for fringe benefits in order to promote the employment and retention of the ~~highest~~ high quality personnel and effectively serve the educational needs of students. All employee fringe benefits ~~shall be subject to Charlottesville City School Board regulations.~~ are provided by the Superintendent ~~shall provide~~ for the interpretation and application of the school division's policies and regulations, ~~regarding fringe benefits.~~

Adopted: February 18, 1998
Revised: March 20, 2008
Revised: July 5, 2012
Revised:

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-289.1, 22.1-313.

PERSONNEL

File GCBE

FAMILY AND MEDICAL LEAVE ACT

A. Generally

The Charlottesville City School Board recognizes its obligation to provide its eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA), 29 U.S.C. §2601 et.seq. This policy describes the benefits available to eligible employees under the Act.

B. Definitions

The following definitions shall apply for purposes of this policy:

Covered active duty: The term ‘active duty’ means

- in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country;
- in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 U.S.C. § 101 (a)(13)(B).

Covered servicemember: The term ‘covered service member’ means

- a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Eligible employee: To be eligible for leave under this policy, the employee must have at least twelve (12) months of service with the Charlottesville City school division and have worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. § 201 et. Seq., in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.

Instructional employee: Employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting such as teachers, athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual teaching or instructing, or auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers, bus drivers, or other primarily noninstructional employees.

Next of kin: The term “next of kin” used with respect to an individual, means the nearest blood relative of that individual other than the covered servicemember’s spouse, parent, son or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative **as the covered servicemember’s nearest blood relative** for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members ~~shall be~~ **are** considered the covered servicemember’s next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual ~~shall be~~ **is** deemed to be the covered servicemember’s only next of kin.

Outpatient status: The term “outpatient status,” with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to

- A. a military medical treatment facility as an outpatient; or
- B. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious health condition: The term “serious health condition” means an illness, injury, impairment, or condition that involves

- (i) inpatient or
- (ii) continuing treatment by a healthcare provider.

Serious injury or illness: The term “serious injury or illness,” in the case of

- a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s activity duty and was aggravated by service in line of duty on activity duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
- a veteran who was a member of the Armed Forces, including a member of the National

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Guard or Reserves, at any time during a period described in 29 U.S.C. §2611 (15)(B), means a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on activity duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Year: A rolling 12-month period measured backward from the date an employee uses an FMLA leave.

Leave:

Any eligible employee is entitled to leave for a combined total of twelve (12) weeks per year for the following situations:

1. the birth and care of a newborn child;
2. the adoption of foster placement of a child;
3. to care for an employee's spouse, parent, or child with a serious health condition;
4. because of a serious health condition that makes the employee unable to perform the essential functions of the employee's job; and
5. because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to cover active duty) in the Armed Forces.

However, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to a total of 26 workweeks of leave per year to care for the servicemember. Leave under this paragraph is available only during a single year. During that year the employee is entitled to a combined total of 26 workweeks of leave under this policy.

To the extent that an employee is entitled to compensated leave under other ~~Charlottesville City~~ school division policies, such paid leave shall be substituted for unpaid FMLA leave. Otherwise, family and medical leave is unpaid. When paid leave is available, the employee must satisfy any procedural requirements of the division's paid leave policy.

Employees on FMLA leave must report their status and intention regarding returning to work to the school division at least every four weeks.

Notice to Employees of Their Rights under the FMLA

Posting and General Notice

The ~~Charlottesville City~~ school division shall ~~post~~ posts, in conspicuous places, on the premises of the school division, where notices to employees and applicants for employment are

customarily posted, a notice explaining the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor.

A copy of Attachment 1 ~~will also be~~ is also given to each employee by including it in the employee handbook or similar document or by distributing it to each new employee upon hiring.

Eligibility Notice

When an employee requests FMLA leave, or the division has knowledge that an employee's leave may be for an FMLA-qualifying reason, the division should notify the employee of the employee's eligibility to take FMLA leave within five business days. The employee is not eligible for FMLA leave, the Notice must state at least one reason why the employee is not eligible (such as, for example, the number of months the employee has worked for the division.) This notice will be provided using Attachment 4.

Notice of Rights and responsibilities

The division ~~will provide~~ provides written notice detailing the specific expectations and obligations of the employee and explaining the consequences of the failure to meet those obligations each time the employee is given an Eligibility Notice. This Notice ~~will include~~ includes, as appropriate:

- that the leave may be designated and counted against the employee's annual FMLA leave entitlement and the 12-month period for FMLA entitlement;
- any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status, and the consequences of failing to provide certification;
- that the division ~~will substitute~~ substitutes paid leave for unpaid leave and any conditions related to the substitution and the employee's right to take unpaid FMLA leave if the employee does not meet the conditions for paid leave;
- any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis;
- the employee's rights to maintenance of benefits during the FMLA leave and restoration to the same or an equivalent job upon return from FMLA leave leaves; and
- the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after FMLA leave.

The Notice of Rights and Responsibilities should be accompanied by any required certification form.

The Notice of Rights and responsibilities ~~will also include~~ also includes notice that employees on FMLA leave must report their status and intention regarding returning to work to the division at least every four weeks.

Designation Notice

When the division has enough information to determine whether the leave is being taken for a FMLA-qualifying reasons, the division should give the employee written notice whether the leave will be designated and will be counted as FMLA leave within five business days. If the division determines that the lave will not be designed as FMLA-qualifying, the division must inform the employee of that determination. The division will also notify the employee that paid leave must be substituted for unpaid FMLA leave or that paid leave taken under an existing leave plan be counted as FMLA leave at the time of designating the FMLA leave.

If the division will require the employee to present a fitness-for-duty certification to be restored to employment after taking leave for a continuous period of time, the division will provide notice of the requirement with the Designation Notice. If the division will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the division ~~must so indicate~~ so indicates in the Designation Notice and ~~must include~~ includes a list of the essential functions of the employee's position.

If the division has reasonable safety concerns regarding the ability of an employee who is returning to work after intermittent or reduced leave schedule to perform ~~his or her~~ the employee's duties based on the serious health condition for which the employee took leave, it may require the employee to submit a fitness for duty certification unless one has been submitted within the past 30 days.

If the leave is not designated as FMLA leave because it does not meet the requirements of the FMLA, the notice to the employee that the leave is not designated as FMLA leave may be in the form of a simple written statement.

If the information provided by the division to the employee in the Designation Notice changes, the division will provide, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, written notice of the change.

The division ~~will notify~~ notifies the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA-qualifying, the division ~~must notify~~ notifies the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement in the Designation Notice. If it is not possible to provide the hours,

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days, or weeks that will be counted against the employee's FMLA leave entitlement, then the division ~~must provide~~ provides notice of the amount of leave counted against the employee's FMLA leave entitlement upon request by the employee but no more often than once in a 30-day period and only if leave was taken in that period.

The division's decision to designate leave as FMLA-qualifying ~~will be~~ is based only on information received from the employee or the employee's spokesperson. If the division does not have sufficient information about the reason for an employee's use of leave, the division will inquire further of the employee or the spokesperson to ascertain whether leave is potentially FMLA-qualifying. Once the division has knowledge that the leave is being taken for a FMLA-qualifying reason, the division ~~will provide~~ provides the employee the notice described in this subsection.

An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the division to determine whether the leave is FMLA-qualifying. If the employee fails to explain the reasons, leave may be denied.

Leave for the Birth, Adoption or Foster Placement of a Child

The employee's entitlement to leave for a birth, adoption or foster placement of a child expires at the end of the twelve month period beginning on the date of the birth, adoption or foster placement. Leave taken for the birth, adoption or foster placement of a child may be taken intermittently or on a reduced leave schedule if the superintendent or superintendent's designee agrees to such an arrangement.

If the necessity for leave for the birth, adoption or foster placement of a child is foreseeable based on an expected birth or placement, the employee shall provide the school division with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

Leave Because of a Serious Health Condition of Employee

Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

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- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

The School Board may require that a request for leave because of the employee's own serious health condition be supported by a certification issued by a health care provider of the employee.

The division may use Form WH-380-E (Attachment 2) for this certification. The division should request that the employee furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at a later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide a complete and sufficient certification within 15 calendar days after the division's request. When the division requests certification, it ~~will advise~~ advises the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

- (1) the name, address, telephone number and fax number of the health care provider and the type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the employee is unable to perform the essential functions of ~~his or her~~ the employee's position, the nature of any other work restrictions, and the likely duration of such inability.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of ~~his or her~~ the employee's serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates on which such treatment is expected to be given and the duration of such treatment and any period of recovery.

If an employee requests leave on an intermittent or reduced leave schedule because of ~~his or her~~ the employee's own serious health condition that may result in unforeseeable episodes of

incapacity, the certification shall include information sufficient to establish the medical necessity for the intermittent leave or leave on a reduced leave schedule, and an estimate of the frequency and duration of the episodes of incapacity.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

Leave Because of a Serious Health Condition of a Child, Spouse, or Parent of Employee

Family and medical leave ~~shall be~~ is provided when the employee is needed to care for ~~his or her~~ the employee's spouse, child or parent with a serious health condition, as defined above. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for an employee's spouse, parent,

or child with a serious health condition be supported by a certification issued by a health care provider of the family member in need of care. The division may use Form WH-380-F (Attachment 3) for this medical certification. The division should ask the employee to furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The division may request certification at some later date if it has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification within 15 calendar days after the division's request. When the division requests certification, it ~~will advise~~ advises the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

- (1) the name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
- (2) the approximate date on which the serious health condition commenced and its probable duration;
- (3) a statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (4) information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member.

If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of a family member's serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates and the duration of such treatments and any periods of recovery.

If an employee requests leave on an intermittent reduced leave schedule in order to care for a family member with a serious health condition, the certification shall include a statement that the employee's intermittent leave or leave on a reduced leave schedule is medically necessary for the care of the son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

If the employee submits a complete and sufficient certification signed by the health care provider, the division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.

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If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

Leave to Care for a Covered Servicemember

If the necessity for leave is foreseeable based on planned medical treatment for a serious injury or illness of a covered servicemember, the employee shall

- (1) make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
- (2) provide the division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The School Board may require that a request for leave to care for a covered servicemember with a serious injury or illness be supported by a certification issued by a health care provider of the covered serviceperson. The certification may be completed by any health care provider listed in 29 C.F.R. 825.310(a). The employee shall provide, in a timely manner, a copy of such certification to the school division.

Certification will be sufficient if it states

- (1) the name, address, and appropriate contact information (telephone number, fax number, and/or email address) of the health care provider, the type of medical practice, the medical specialty, and whether the health care provider is one of the following: a United States Department of Defense (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider or a health care provider as defined in 29 C.F.R. 825.125;
- (2) whether the covered servicemember's injury or illness was incurred in the line of duty on active duty;

- (3) the approximate date on which the serious health condition or serious injury or illness commenced or was aggravated and its probable duration;
- (4) a statement or description of appropriate medical facts regarding the covered servicemember's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
- (5) information sufficient to establish that the covered servicemember is in need of care and whether the covered servicemember will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.

If an employee requests FMLA leave on an intermittent or reduced leave schedule for planned medical treatment appointments for the covered servicemember, the certification must state that there is a medical necessity for the covered servicemember to have such periodic care and must contain an estimate of the treatment schedule of such appointments.

If an employee requests FMLA leave on an intermittent or reduced schedule basis to care for a covered servicemember other than for planned medical treatment, the certification must contain a statement that there is a medical necessity for the covered servicemember to have such periodic care, and must contain an estimate of the frequency and duration of the periodic care.

In addition to the information listed above, the division may also request that the certification set forth the information on Form WH-385 (Attachment 7.)

In lieu of Form WH-385, the division ~~will accept~~ accepts invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill servicemember at ~~his or her~~ the servicemember's bedside. An ITO or ITA is sufficient certification for the duration of time specified in the ITO or ITA. During that time period, the employee may take leave to care for the covered servicemember in a continuous block of time or on an intermittent basis.

The information on the certification must relate only to the serious injury or illness for which the current need for leave exists. The division may seek authentication or clarification of the certification, ITO, or ITA but may not seek second or third opinions. The division may require an employee to provide confirmation of covered family relationship to the seriously injured or ill servicemember.

The division ~~will also~~ also accepts ~~accept~~ as sufficient certification of the servicemember's serious injury or illness documentation indicating the servicemember's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Leave Related to a Qualifying Exigency arising from Covered Active Duty or a Call to Covered Active Duty

If the necessity for leave because of a qualifying exigency arising from the fact that a family member is on covered active duty or has been notified of an impending call to covered active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable. The employee's notice should be sufficient to make the division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

The first time an employee requests leave because of a qualifying exigency arising out of the covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of a military member, the division may require the employee to provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service. A copy of File: GCBE Page 12

new active duty orders or other documentation issued by the military shall be provided to the division if the need for leave because of a qualifying exigency arises out of a different covered active duty or call to covered active duty status (or notification of an impending call or order to covered active duty) of the same or a different military member.

A request for leave because of a qualifying exigency must be supported by

- (1) a statement or description signed by the employee of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave;
- (2) the approximate date on which the qualifying exigency commenced or will commence;
- (3) the beginning and ending dates of absence if the employee requests leave because of a qualifying exigency for a single, continuous period of time;
- (4) an estimate of the frequency and duration of the qualifying exigency if the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis;
- (5) if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting; and
- (6) if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates that the military

member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

The division may use Form WH-384 (Attachment 6) for this certification.

Rules for Intermittent and Reduced Schedule

When permitted by the FMLA, intermittent and reduced schedule leave may be used until the aggregate amount of such leave equals twelve weeks or 26 weeks if the leave is taken to care for a covered servicemember in the employee's rolling year. However, when the employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment the school division may temporarily transfer the employee to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.

When an eligible employee employed principally in an instructional capacity requests leave to care for a family member with a serious health condition, leave because of the employee's own serious health condition, or leave to care for a covered servicemember and the leave is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the school division may require the employee to elect either

- (1) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
- (2) to transfer temporarily to an available alternative position offered by the school division for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment position.

The school division may require an employee to make such an election when the employee has

- (1) made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division, subject to the approval of the health care provider; and
- (2) has provided the division with not less than 30 days' notice before the date the leave is to begin, of the employee's intention to take leave, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

Rules for Husband and Wife Employed by Charlottesville City School Division

A husband and wife who are both eligible for family and medical leave and are employed by ~~Charlottesville City~~ the school division shall be granted family and medical leave only for a combined total of twelve weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.

A husband and wife who are both eligible for family and medical leave and are employed by ~~Charlottesville City~~ the school division shall be granted family and medical leave only for a combined total of 26 workweeks per year if the leave

- (1) is taken to care for a covered servicemember; or
- (2) is taken as a combination of leave to care for a covered servicemember and leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition. However, if the leave taken by the husband and wife includes leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition, the leave for that reason shall be limited to 12 workweeks per year.

Benefits During Family and Medical Leave

Employees on family and medical leave ~~shall receive the~~ group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits ~~shall be~~ are provided according to ~~Charlottesville City~~ school division policy for paid or unpaid leave, whichever applies.

If the employee fails to return to work when the period of leave to which ~~he or she~~ the employee is entitled expires for any reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave, or other circumstances beyond the employee's control, the school division may recover the premium it paid for maintaining the employee's coverage during the period of unpaid leave in accordance with federal law.

Return to Work

An employee on family and medical leave shall provide the division at least two work days' notice of the intent to return to work. The employee shall be returned to the same or equivalent position at the end of the family and medical leave unless the division shows that the employee would not otherwise have been employed at the time reinstatement is requested.

The following return to work provisions apply to instructional employees:

1. If an instructional employee begins family and medical leave more than five (5) weeks before the end of an academic term, the employee may be required to continue taking leave until the end of the term if the leave is at least three (3) weeks in duration and the return to work would occur during the last three (3) weeks of the academic term.
2. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the five (5) week period before the end of an academic term, the employee may be required to continue taking leave until the end of the academic term if the leave is longer than two (2) weeks in duration and the return to work would occur during the last two (2) weeks of the academic term.
3. If an instructional employee begins family and medical leave a) because of the birth, adoption, or foster care placement of a son or daughter of the employee, b) to care for a family member with a serious health condition, or c) to care for a covered servicemember during the three (3) week period before the end of an academic term, the employee may be required to continue taking leave until the end of an academic term if the leave is longer than five (5) working days in duration.

If an instructional employee is required to continue leave until the end of an academic term, only the period of leave until the employee is ready and able to return to work shall be counted against the family and medical leave entitlement. However, the division ~~must~~ continue continues the group health insurance coverage under the same conditions as if the employee were working.

Outside Employment

An employee who is on family and medical leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may

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include termination from employment.

Adopted: February 19, 1998

Revised: April 17, 2008

Revised: June 19, 2008

Revised: June 18, 2009

Reviewed: June 26, 2014

Revised: June 27, 2016

Revised:

Legal References: 29 U.S.C. §§ 207, 2611, 2612, 2613, 2614, 2618, 2619

29 CFR 825.110, 825.115, 825.122, 825.124, 825.125, 825.200,
825.203,

825.207, 825.300, 825.301, 825.302, 825.303, 825.305, 825.306,
825.307,

825.309, 825.310, 825.311, 825.312, 825.600, 825.602, 825.603,
825.604, 825.800

Cross References: GCBD Professional Staff Leaves and Absences

GCBEA Leave Without Pay

GCQA Nonschool Employment by Staff Members

ATTACHMENTS

- Attachment 1
Medical Employee Rights and Responsibilities Under the Family and
Leave Act (WHD Publication 1420) (Revised February 2013)
<http://www.dol.gov/whd/regs/compliance/posters/fmla.htm>
- Attachment 2 Certification of Health Care Provider for Employee's Serious
Health Condition (Family and Medical Leave Act) (Form
WH380-E) (Revised May 2015)
<http://www.dol.gov/whd/forms/WH-380-E.pdf>
- Attachment 3 Certification of Health Care Provider for Family Member's Serious
Health Condition (Family and Medical Leave Act) (Form
WH-380-F) (Revised May 2015)
<http://www.dol.gov/whd/forms/WH-380-F.pdf>
- Attachment 4 Notice of Eligibility and Rights & Responsibilities (Family and
Medical Leave Act) (Form WH-381) (Revised February 2013)
<http://www.dol.gov/whd/forms/WH-381.pdf>
- Attachment 5 Designation Notice (Family and Medical Leave Act)
(Form WH-382)
<http://www.dol.gov/whd/forms/WH-382.pdf>
- Attachment 6 Certification of Qualifying Exigency for Military Family Leave
(Family and Medical Leave Act) (Form WH-384) (Revised
February
2013)

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<http://www.dol.gov/whd/forms/WH-384.pdf>

Attachment 7

Certification for Serious Injury or Illness of Covered
Servicemember—for Military Family Leave (Family and Medical
Leave Act) (Form WH-385) (Revised May 2015)

<http://www.dol.gov/whd/forms/WH-385.pdf>

Attachment 8

Certification for Serious Injury or Illness of a Veteran for
Military Caregiver Leave (Family and Medical Leave Act)
(Form WH-385-V (revised May 2015))

<http://www.dol.gov/whd/forms/wh385V.pdf>

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EFFECT OF CRIMINAL CONVICTION OR FOUNDED COMPLAINT OF CHILD ABUSE OR NEGLECT

Generally

The Charlottesville City School Board ~~will not~~ **does not** hire or continue the employment of any part-time, full-time, temporary, or permanent personnel who are determined to be unsuited for service by reason of criminal conviction or information appearing in the registry of founded complaints of child abuse and neglect maintained by the Department of Social Services.

I. APPLICANTS FOR EMPLOYMENT

A. Criminal Convictions

As a condition of employment for all of its employees, whether full-time or part-time, permanent, or temporary, the Charlottesville City School Board ~~shall require~~ **requires** on its application for employment certification of whether the applicant has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; or any crime of moral turpitude.

The School Board does not employ any individual who has been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child.

The School Board may employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor.

~~Notwithstanding the requirements of, subsection A of Va. Code § 22.1-296.1, the School Board may employ an individual who, at the time of the individual's hiring, has been convicted of a felony, provided that such individual (i) was employed in good standing by a school board on or before December 17, 2017; (ii) has been granted a simple pardon for such offense by the Governor or other appropriate authority; and (iii) has had his civil rights restored by the Governor or other appropriate authority. However, the School Board may employ, until July 1, 2020, such an individual who does not satisfy the conditions set forth in clauses (ii) and (iii), provided that such individual has been continuously employed by the School Board from December 17, 2017 through July 1, 2018.~~

The Charlottesville City School Board ~~shall also require~~ **also requires** on its application for employment, as a condition of employment requiring direct contact with students, whether full time or part-time, permanent, or temporary, certification that the applicant has not been the subject of a founded case of child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect shall be guilty of a Class 1 misdemeanor

and upon conviction, the fact of said conviction shall be grounds for the Board of Education to revoke such person's license to teach.

As a condition of employment, any applicant who is offered or accepts employment, whether full-time, part-time, permanent or temporary with the Charlottesville City School Board shall submit to fingerprinting and provide personal descriptive information. The information and fingerprints shall be forwarded through the Central Criminal Records Exchange to the Federal Bureau of Investigations for the purpose of obtaining criminal history record information on applicants who are offered or accept employment.

To conserve the costs of conducting criminal history record checks to applicants and school boards, upon the written request of the applicant, Charlottesville City School Board shall inform another school board with which reciprocity has been established and to which the applicant also has applied for employment of the results of the criminal history record information conducted within the previous ninety days that it obtained concerning the applicant. Criminal history record information pertaining to an applicant for employment by a school board shall be exchanged only between school boards in the Commonwealth in which a current agreement of reciprocity for the exchange of such information has been established and is in effect. Reciprocity agreements shall provide for the apportionment of the costs of the fingerprinting or criminal records check between the applicant and Charlottesville City School Board as provided by statute.

If an applicant is denied employment because of information appearing on ~~his/her~~ **the applicant's** criminal history record, the School Board ~~shall provide~~ **provides** a copy of the information provided by the Central Criminal Records Exchange to the applicant.

B. Founded Complaints of Child Abuse or Neglect

The School Board requires, as a condition of employment, that any applicant who is offered or accepts employment requiring direct contact with students, whether full-time or part time, permanent or temporary, provide written consent and the necessary personal information for the School Board to obtain a search of the registry of founded complaints of child abuse and neglect. The registry is maintained by the Department of Social Services. The School Board ~~shall ensure~~ **ensures** that all such searches are requested in conformance with the regulations of the Board of Social Services. In addition, where the applicant has resided in another state within the last five years, the School Board requires as a condition of employment that such applicant provide written consent and the necessary personal information for the School Board to obtain information from each relevant state as to whether the applicant was the subject of a founded complaint of child abuse and neglect in such state. The School Board ~~shall take~~ **takes** reasonable steps to determine whether the applicant was the subject of a founded complaint of child abuse and neglect in the relevant state. The Department of Social Services shall maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state school boards for use by local school boards. The applicant may be required to pay the cost of any

search conducted pursuant to this subsection at the discretion of the School Board. From such funds as may be available for this purpose, however, the School Board may pay for the search.

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If the information obtained pursuant to the preceding paragraph indicates that the applicant is the subject of a founded case of child abuse and neglect, such applicant shall be denied employment, or the employment shall be rescinded.

If an applicant is denied employment because of information appearing on ~~his~~ **the applicant's** record in the registry, the School Board ~~shall provide~~ **provides** a copy of the information obtained from the registry to the applicant. The information provided to the School Board by the Department of Social Services ~~shall be~~ **is** confidential and ~~shall not be~~ **is not** disseminated by the School Board.

II. EMPLOYEE CHARGES AND CONVICTIONS

A. Criminal Proceedings

An employee who is charged by summons, warrant, indictment, or information with the commission of a felony or a misdemeanor specified in Va. Code § 22.1-315 may be suspended in accordance with Policy GCPF Suspension of Staff Members.

If a current employee is suspended or dismissed because of information appearing on ~~his/her~~ **the applicant's** criminal history record, the School Board ~~shall provide~~ **provides** a copy of the information provided by the Central Criminal Records Exchange to the employee.

The superintendent shall inform the School Board of any notification of arrest of a school board employee received pursuant to Virginia Code §19.2-83.1. The School Board shall require such employee, whether full-time or part-time, permanent, or temporary, to submit to fingerprinting and to provide personal descriptive information to be forwarded along with the employee's fingerprints through the Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining criminal history record information regarding such employee. The contents of the employee's criminal record shall be used only to implement dismissal, suspension or probation in accordance with §§22.1-307 and 22.1-315 of the Code of Virginia.

B. Founded Complaints of Child Abuse or Neglect

Any employee of Charlottesville City School Board will be dismissed if ~~he or she~~ **the employee** is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.

III. COURT ORDERED PROBATION

For purposes of this policy, a court's placing an individual on probation pursuant to Va. Code § 18.2-251 is treated as a conviction and as a finding of guilt.

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IV. COSTS OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECKS

The School Board shall pay for the fingerprinting, criminal record check and abuse and neglect check conducted pursuant to this policy.

Adopted: February 19, 1998
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 19, 2008
Revised: June 18, 2009
Revised: July 5, 2012
Reviewed: June 20, 2017
Revised: August 1, 2019
Revised: August 6, 2020
Revised:

Legal Ref.: Code of Virginia, as amended, §§ 18.2-251, 19.2-83.1, 19.2-389, 22.1-78, 22.1-296.1, 22.1-296.2, 22.1-296.4, 22.1-307, 22.1-315, 63.2-1515.

~~Acts 2018, c. 833.~~

Cross Refs.: GCPF Suspension of Staff Members
GCPD Professional Staff Discipline

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File: GCL

PROFESSIONAL STAFF DEVELOPMENT

The goal of the professional development program is to provide better learning experiences in the classroom which result in a positive effect on student performance and attitude. This can be accomplished through the improved awareness and effectiveness of the staff. Utilizing total staff involvement, the professional development process consists of identifying the areas in which improvement is needed; establishing programs that are designed to achieve the desired results and implementing these programs with evaluation and revision as needed.

The Charlottesville City School Board will provide a program of high-quality professional development:

- (i) in the use and documentation of performance standards and evaluation criteria based on student academic progress and skills for teachers and administrators to clarify roles and performance expectations and to facilitate the successful implementation of instructional programs that promote student achievement at the school and classroom levels;
- (ii) as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students, students with disabilities, and students who have been identified as having limited English proficiency and to increase student achievement and expand the knowledge and skills students require to meet the standards for academic performance set by the Board of Education;
- (iii) in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula;
- (iv) for administrative personnel designed to increase proficiency in instructional leadership and management, including training in the evaluation and documentation of teacher and administrator performance based on student academic progress and the skills and knowledge of such instructional or administrative personnel; and
- (v) designed to educate School Board employees about bullying as defined in Va. Code § 22.1-276.01 and the need to create a bully-free environment.

In addition, the Board provides teachers and principals with high-quality professional development programs each year in

- (i) instructional content;
- (ii) the preparation of tests and other assessment measures;
- (iii) methods for assessing the progress of individual students, including Standards of Learning assessment materials or other criterion-referenced tests that match locally developed objectives;
- (iv) instruction and remediation techniques in English, mathematics, science and history and social science;
- (v) interpreting test data for instructional purposes;
- (vi) technology applications to implement the Standards of Learning; and

(vii) effective classroom management.

All instructional personnel are required to participate each year in professional development programs.

All employees are required to complete a mental health awareness training or similar program.

The Board annually reviews its professional development program for quality, effectiveness, participation by instructional personnel and relevancy to the instructional needs of teachers and the academic achievement needs of the students in the school division.

Adopted: October 21, 1999
Revised: September 20, 2007
Revised: March 20, 2008
Revised: June 25, 2013
Revised: June 19, 2018
Revised: August 6, 2020
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-23.3, 22.1-253.13:5, 22.1-276.01, 22.1-291.4 and 22.1-298.6.

PERSONNEL

File: GCN

EVALUATION OF PROFESSIONAL STAFF

Every employee of the Charlottesville City School Board staff is evaluated on a regular basis at least as frequently as required by law.

The superintendent assures that cooperatively developed procedures for professional staff evaluations are implemented throughout the division and included in the division's policy manual. The results of the evaluation are in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the person being evaluated.

The primary purposes of evaluation are:

- to optimize student learning and growth;
- to contribute to the successful achievement of the goals and objectives of the division's educational plan;
- to improve the quality of instruction by ensuring accountability for classroom performance and teacher effectiveness;
- to provide a basis for leadership improvement through productive performance appraisal and professional growth;
 - to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
- to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

~~The procedures are consistent with the performance objectives included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers and the Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals.~~ **Teacher, principal, and superintendent evaluations are consistent with the performance standards included in the Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers, Principals, and Superintendents.** Evaluations include student academic progress as a significant component and an overall summative rating. Teacher evaluations include regular observation and evidence that instruction is aligned with the school's curriculum. Evaluations include identification of areas of individual strengths and weaknesses and recommendations for appropriate professional activities. **Evaluations include an evaluation of cultural competency.**

Any teacher whose evaluation indicates deficiencies in managing student conduct may be required to attend professional development activities designed to improve classroom management and discipline skills.

Adopted: February 19, 1998

Revised: April 15, 1999

Revised: March 4, 2004

Revised: March 20, 2008

Revised: June 16, 2011
Revised: July 5, 2012
Revised: June 25, 2013
Revised: June 19, 2018
Revised: August 6, 2020
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-294, 22.1-295, 22.1-303, 22.1-253.13:5, 22.1-253.13:7 and 22.1-276.2.

Guidelines for Uniform Performance Standards and Evaluation Criteria for Teachers (Virginia Board of Education as revised ~~July 23, 2015~~) (http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_teachers.pdf). **Approved March 18, 2021**

Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals (Virginia Board of Education as revised ~~July 23, 2015~~) (http://www.doe.virginia.gov/teaching/performance_evaluation/guidelines_ups_eval_criteria_principals.pdf). **Effective January 10, 2020**

Cross Ref.: CBG Evaluation of the Superintendent
GCG Professional Staff Probationary Term and Continuing Contract

PERSONNEL

File GCPA

REDUCTION IN PROFESSIONAL STAFF WORK FORCE

A decrease in enrollment, an abolition of particular subjects, a decrease in the School Board's budget as approved by the appropriating body, a consolidation of schools, phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program or department, or in the entire school division.

The School Board, upon recommendation of the Superintendent, shall determine the program adjustments to be made and the reduction in force required.

General reduction in total personnel and redistribution of personnel within designated programs ~~shall be~~ is done in accordance with ~~regulations established by the administration.~~ The regulations-Reduction in Force (RIF) Guidelines established by the superintendent and reviewed and approved by the School Board. The Guidelines will not provide for reductions to be made solely on the basis of seniority, they will include consideration of the performance evaluations of the teachers potential affected by the reduction in workforce.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 25, 2013
Reviewed: June 19, 2018
Revised: May 7, 2020
Revised: TBD

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-304

Cross Reference: GCG Professional Staff Probation and Continuing Contract

PERSONNEL

File: GCPF

SUSPENSION OF STAFF MEMBERS

Employees of Charlottesville City School Board, whether full-time or part-time, permanent or temporary, may be suspended for good and just cause

- when the safety or welfare of the school division or the students therein is threatened or
- when the employee has been charged by summons, warrant, indictment or information with the commission of
 - a felony; or
 - a misdemeanor involving
 - sexual assault as established in Article 7 (§18.2-61 et seq.) of Chapter 4 of Title 18.2, of the Code of Virginia,
 - obscenity and related offenses as established in Article 5 (§18.2-372 et seq.) of Chapter 8 of Title 18.2, of the Code of Virginia,
 - drugs as established in Article 1 (§18.2-247 et seq.) of Chapter 7 of Title 18.2, of the Code of Virginia,
 - moral turpitude, or
 - the physical or sexual abuse or neglect of a child; or an equivalent offense in another state.

Except when an employee is suspended because of being charged by summons, warrant, indictment or information with the commission of any of the above-listed offenses, the superintendent or appropriate central office designee shall not suspend an employee for longer than sixty (60) days and shall not suspend an employee for a period in excess of five (5) days unless such employee is advised in writing of the reason for the suspension and afforded an opportunity for a hearing before the school board in accordance with Va. Code §§ 22.1-311 and 22.1-313, if applicable. Any employee so suspended shall continue to receive his then applicable salary unless and until the school board, after a hearing, determines otherwise. No employee shall be suspended solely on the basis of the employee's refusal to submit to a polygraph examination requested by the School Board.

Any employee suspended because of being charged by summons, warrant, information or indictment with any of the above-listed criminal offenses may be suspended with or without pay. In the event an employee is suspended without pay, an amount equal to the employee's salary while on suspended status shall be placed in an interest-bearing demand escrow account. Upon being found not guilty of one of the above-listed criminal offenses or upon the dismissal or nolle prosequi of the charge, such employee shall be reinstated with all unpaid salary and accrued interest from the escrow account, less any earnings received by the employee during the period of suspension, but in no event shall such payment exceed one year's salary.

Charlottesville City Schools
PERSONNEL

File: GCPF
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In the event an employee is found guilty by an appropriate court of any of the above listed criminal offenses and, after all available appeals have been exhausted and such conviction is upheld, all funds in the escrow account shall be repaid to the School Board.

If an employee is suspended because of information appearing on ~~his/her~~ **the employee's** criminal history record, the School Board ~~shall provide~~ **provides** a copy of the information obtained from the Central Criminal Records Exchange to the employee.

No employee will have his insurance benefits suspended or terminated because of suspension in accordance with this policy.

The placing of a school employee on probation pursuant to the terms and conditions of Va. Code § 18.2-251 shall be deemed a finding of guilt.

Adopted: July 5, 2012

Revised: June 27, 2016

Revised: June 20, 2017

Revised:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-296.2, 22.1.315.

Cross Refs.

GBMA Support Staff Grievances
GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse
or Neglect

GCPD Professional Staff Discipline

GDG Support Staff Probationary Period

Charlottesville City Schools

© 5/21/VSBA

PERSONNEL

File GCQA

NONSCHOOL EMPLOYMENT BY STAFF MEMBERS

Employees of the School Board may accept outside employment provided that such employment does not interfere with or affect the quality of performance for which the School Board employed the employee, nor shall the outside employment reflect adversely upon the school division.

The Superintendent may require employees to report all outside employment. An employee who is on medical leave from Charlottesville City School Board, in a paid or unpaid status, may not be employed by the School Board or any other employer in any capacity during the period of leave except with the prior written authorization of the Superintendent or designee.

The School Board does not endorse, support or assume liability for any activity conducted by School Board employees in which division students or employees participate which is not sponsored by the School Board.

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: July 5, 2012
Revised:

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78 29 C.F.R. 825.216(e)

Cross Reference: BBFA ~~School Board Members Conflict of Interest~~ Conflict of Interests and Disclosure or Economic Interests
GAA Staff Times Schedules
GAH School Employee Conflict of Interests
GCBE Family and Medical Leave
GCBEA Leave Without Pay
GCBEB Military Leave and Benefits
GCQAB Tutoring for Pay
GCQB Staff Research and Publishing
IICA Field Trips

PERSONNEL

File GCQAB

TUTORING FOR PAY

Professional staff members may not be paid by anyone other than the Charlottesville School Board for tutoring students enrolled in a class under their direction.

Adopted: February 19, 1998

Reviewed: March 20, 2008

Revised: July 5, 2012

Revised:

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

Cross References: GCQA Nonschool Employment by Staff Members

PERSONNEL

File GDN

EVALUATION OF SUPPORT STAFF

Every employee of the Charlottesville City School Board ~~will be~~ is evaluated on a regular basis.

The Superintendent ~~shall assure~~ ensures that cooperatively developed procedures for support staff evaluations are implemented ~~within the division and included in the division's policy manual~~ division. The results of the evaluation shall be in writing, dated and signed by the evaluator and the person being evaluated, with one copy going to the central office personnel file and one copy to the employee. The primary purposes of evaluation and assistance are:

1. to optimize student learning and growth;
2. to contribute to the successful achievement of the goals and objectives of the division's educational plan;
3. to provide a basis for leadership improvement through productive performance appraisal and professional growth;
4. to implement a performance evaluation system that promotes a positive working environment and continuous communication between the employee and the evaluator that promotes continuous professional growth, leadership effectiveness, improvement of overall job performance and improved student outcomes; and
5. to promote self-growth, instructional effectiveness, and improvement of overall professional performance.

Adopted: March 20, 2008

Revised: July 5, 2012

Revised:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, ~~22.1-253.13:7.C:7~~, 22.1-313, 22.1-253.13:7.

Cross References: CBG Evaluation of the Superintendent
 GCN Evaluation of the Professional Staff
 GD Support Staff GDB Support Staff Employment Status
 GDG Support Staff Probationary Period
 ~~GDPF~~ GCPE Suspension of Staff Members

PERSONNEL

File: GEA/JOH

ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORDS

Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Charlottesville City School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

Definitions

“Attribution” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

“Electronic Signature”- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Electronic Record” – any record created, generated, sent, communicated, received or stored by electronic means.

Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the Charlottesville City Schools; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the Charlottesville City School Board agrees to accept or send such communication electronically;

PERSONNEL

and

File: GEA/JOH

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2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by ~~his/her~~ **the individual's** name and title;
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a log of the PIN/password or actual signature of any individual authorized by the School Board or designee to provide an electronic signature in

INSTRUCTION

File: IC/ID

SCHOOL YEAR/SCHOOL DAY

School Year

In accordance with the Code of Virginia, the Charlottesville City Schools shall be operated with students in attendance a minimum 180 teaching days or 990 hours (540 hours for kindergarten) per school year. Days on which schools are closed due to inclement weather or emergencies shall be made up if necessary to meet these requirements.

Students are provided a minimum of 680 hours of instructional time in elementary school, except for students in half-day kindergarten, in the four academic disciplines of English, mathematics, science, and history and social science and a minimum of 375 hours of instructional time in half-day kindergarten in the four academic disciplines of English, mathematics, science, and history and social science.

Unstructured recreational time that is intended to develop teamwork, social skills, and overall physical fitness may be included in the calculation of total instructional time or teaching hours for elementary school, provided that such unstructured recreational time does not exceed 15 percent of total instructional time or teaching hours.

Make Up Days

If severe weather conditions or other emergency situations result in the closing of a school or schools or all the schools in the school division **or in an unscheduled remote learning day for a school or schools in the division** for

- five or fewer days, all missed days are made up by adding teaching days to the school calendar or extending the length of the school day;
- six days or more, the first five days plus one day for each two days missed in excess of the first five are made up by adding teaching days to the school calendar or extending the length of the school day.

If severe weather conditions or other emergency situations result in the closing of any school in the school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement.

If severe weather conditions or other emergency situations result in the closing of any school in the school division for in-person instruction, the school division may declare an unscheduled remote learning day whereby the school provides instruction and student services that are consistent with guidelines established by the Department of Education to ensure the equitable provision of such services.

The Board of Education may waive the requirement that the school division provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency or severe weather conditions or other emergency situations under certain circumstances. If the School Board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school

division to reschedule as many days as possible and certification by the superintendent and chairman of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

The Board of Education waives the requirement that school divisions provide additional teaching days or teaching hours to compensate for school closings resulting from an evacuation directed and compelled by the Governor pursuant to Va. Code § 44-146.17 for up to five teaching days. If the School Board desires such a waiver, it notifies the Board of Education and provides evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chair of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted. After receiving such notification, the Board of Education grants the waiver and there is no proportionate reduction in the amount paid by the Commonwealth from the Basic School Aid Fund. Further, the local appropriations for educational purposes necessary to fund 180 teaching days or 990 teaching hours shall not be proportionally reduced by the local appropriating body due to any reduction in the length of the term of any school or the schools in a school division permitted by such waiver.

School Calendar

The School Board establishes the division's calendar in accordance with state law. The School Board establishes teaching contracts in accordance with applicable regulations of the Board of Education to include contingencies for making up teaching days and teaching hours missed for emergency situations.

An advisory committee composed of teachers, parents and school administration may be utilized to recommend a proposed calendar to the superintendent. The recommendation of this committee is advisory.

School Day

The length of the regular school day ~~will not be less than~~ **averages at least** five and one-half ~~nor more than six and one-half~~ instructional hours, for grades 1-12, exclusive of time for meals and recess.

~~The length of each kindergarten session shall not be less than three hours and shall meet the minimum class time as prescribed by the Virginia Board of Education.~~

All students in grades 1 through 12 maintain a full day schedule of classes (5-1/2 hours) unless a waiver is granted in accordance with policies defined by the School Board.

Each elementary school shall provide students with a daily recess during the regular school year, as determined appropriate by the school. Guidelines for recess times will be included in the regulations accompanying this policy.

The secondary school class schedule will contain a minimum of 140 clock hours for each unit of credit. When credit is awarded in less than whole units, the increment awarded must be no greater than the fractional part of the 140 hours of instruction provided.

The time for opening and closing schools is established by the School Board upon recommendation of the superintendent, provided that the daily program for students in grades 1 through 12 averages 5 ½ hours, not including meal intermissions. If the required program length is maintained, the School Board may approve occasional shortened days for staff development, conferences, planning and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours. The daily program for kindergarten is at least three hours, not including meal intermissions.

~~No classes will be dismissed before the scheduled dismissal hour except with the approval of the superintendent, provided that the daily program for students in grades 1 through 12 will average at least 5 ½ hours, not including meal intermissions. If the required program length is maintained, the school board may approve occasional shortened days for staff development, conferences, planning, and other activities designed to improve the instructional program, provided that no more than one day in each five-day week may be shortened to no less than four hours. The daily program for kindergarten will be at least three hours, not including meal intermissions.~~

When exceptions in the length of the daily program are necessary, the board will request approval by the Superintendent of Public Instruction of the exceptions by August 1 preceding the school year for which they are requested.

The length of the work day for employees will be determined by the school board. It will be of sufficient length to allow for the daily program for students and additional time as may be necessary for such activities as planning, preparation, meetings, workshops, conferences, meal intermissions, or other contractual obligations.

The length of the school day shall be modified if appropriate per the Individual Education Plan (IEP) for a special education student.

Joint or Regional Schools

School boards operating joint or regional high schools, including regional charter schools, offering a specialized curriculum leading to a high school diploma and a postsecondary credential, such as industry certification, career certificate, or degree may, by agreement, establish alternative schedules for the delivery of instruction. Those schedules may include alternatives to standard school day and year requirements, subject to the issuance of any necessary waivers by the Board of Education and relevant Board of Education regulations.

Certification

The superintendent and School Board chair certify the total number of teaching days and teaching hours each year as part of the annual report to the Board of Education.

Adopted: July 16, 1998

Revised: April 17, 2008

Revised: June 17, 2010

Revised: June 30, 2015
Revised: June 19, 2018
Revised: August 1, 2019
Revised: August 6, 2020
Revised:

Legal Refs.: Code of Virginia, 1950, as amended §§ 22.1-26, 22.1-79.1, 22.1-98, 22.1- 200.2.

Acts 2019, c. cc.569, 570 and 637.
8 VAC 20-131-150.

8 VAC 20-131-200.

8 VAC 20-490-30.

Cross Ref.: BCF Advisory Committees to the School Board

DL Payroll Procedures
GAA Staff Time Schedules
IKF The Virginia Assessment Program and Graduation Requirements
IKFD Alternative Paths to Attaining Standard Units of Credit

INSTRUCTION

File IEA

RECITATION OF THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance, as established in 4 U.S.C. § 4, ~~shall be~~ **is** recited daily in each classroom of the Charlottesville City Public School Division. During the recitation of the Pledge, participating students ~~shall~~ stand and recite the Pledge while facing the flag with their right hands over their hearts or in an appropriate salute if in uniform.

No student ~~shall be~~ **is** compelled to recite the Pledge if the student, parent or legal guardian objects on religious, philosophical, or other grounds to the student's participation in this exercise. Students who are exempt from reciting the Pledge shall quietly stand or sit at their desks while others recite the Pledge and shall make no display that disrupts or distracts those who are reciting the Pledge.

Appropriate accommodations ~~shall be~~ **are** made for students who are unable to comply with the procedures described herein due to disability.

Adopted: July 16, 1998
Revised: September 20, 2000
Revised: March 18, 2004
Revised: April 17, 2008
Revised: July 5, 2012
Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-202. 4 U.S.C. § 4.

Cross References: JFC Student Conduct
~~JFC-R Standards of Student Conduct~~

INSTRUCTION

File: IGAG

TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

The health education program will encourage and support organizations and activities that will develop a positive peer influence concerning substance abuse and create a climate whereby students may seek and receive counseling about substance abuse and related problems without fear of reprisal.

Charlottesville City Schools provides instruction concerning

- drugs and drug abuse,
- the public safety hazards and dangers of alcohol abuse, underage drinking, **underage marijuana use**, and drunk driving, and
- the health and safety risks of using tobacco products, nicotine vapor products, and alternative nicotine products.

Adopted: July 16, 1998

Reviewed: April 17, 2008

Revised: June 17, 2010

Revised: June 26, 2014

Revised: August 1, 2019

Revised:

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-206.

Cross Refs: GBEC/JFCH/KGC Tobacco Products and Nicotine Vapor Products

INSTRUCTION

File IGAH

FAMILY LIFE EDUCATION

Generally

The Charlottesville City School Board provides Family Life Education (FLE) based on the FLE Standards of Learning (SOL) and curriculum guidelines developed by the Board of Education. The SOL objectives related to dating violence and the characteristics of abusive relationships are taught at least once in middle school and at least twice in high school. The high school FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and sexual violence, human trafficking, and the law and meaning of consent. Such age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence may include instruction that increases student awareness of the fact that consent is required before sexual activity. The FLE curriculum offered in any school incorporates age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals. The FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation; associated criminal penalties; and the rights of the victim, including any civil action pursuant to Va. Code § 8.01-42.5.

The FLE curriculum may incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation and child sexual abuse.

The School Board reviews its family life education curricula at least once every seven years, evaluates whether the curricula reflects contemporary community standards, and revises the curricula if necessary.

Right of Parental Review

A parent or guardian has the right to review the family life curricula, including all supplemental materials used in the program. A complete copy of all printed materials not subject to copyright protection and a description of all audio-visual materials is made available through any available parental portal and kept in the school library or office and made available for review to any parent or guardian during school office hours before and during the school year. The audio-visual materials are made available to parents for in-person review, upon request, on the same basis as printed materials are made available.

The School Board develops and distributes to the parents or guardians of students participating in the FLE program and posts for public viewing on the division website a summary designed to assist them in understanding the program implemented in its school division and to encourage parental guidance and involvement in the instruction of the students. Such information reflects the curricula of the program as taught in the classroom. The following statement is included on the summary: "Parents and guardians have the right to review the family

INSTRUCTION

File IGAH

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life education program offered by their school division, including written and audio-visual educational materials used in the program. Parents and guardians also have the right to excuse their child from all or part of family life education instruction."

Adopted: July 16, 1998
Revised: March 18, 2004
Revised: April 17, 2008
Revised: June 18, 2009
Revised: June 16, 2011
Revised: June 30, 2015
Revised: June 27, 2016
Revised: June 20, 2017
Revised: June 19, 2018
Revised: August 1, 2019
Revised: August 6, 2020
Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-207.1, 22.1-207.1:1, 22.1-207.2.

Cross References: BCF Advisory Committees to the School Board
IIA Instructional Materials
INB Teaching About Controversial Issues
KLB Public Complaints About Learning Resources

INSTRUCTION

File: IGAI

CHARACTER EDUCATION

The Charlottesville City Schools provides, within its existing program or as a separate program, a character education program in its schools. The character education program may occur during the regular school year, during the summer in a youth development academy offered by the school division, or both. The purpose of the program is to foster civic virtues and personal character traits so as to improve the learning environment, promote student achievement, reduce disciplinary problems and develop civic-minded students of high character. The program is cooperatively developed with students, parents and the community. Specific character traits emphasized may include trustworthiness, respect, responsibility, fairness, caring and citizenship.

Character education is interwoven into the school procedures and environment so as to instruct primarily by example, illustration and participation, in such a way as to complement the Standards of Learning. Classroom instruction may also be used to supplement the program. The program also addresses the inappropriateness of bullying, as defined in Va. Code § 22.1-276.01. Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent's right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

The character education program

- specifies those character traits to be taught, selecting from those which are common to diverse social, cultural and religious groups;
- is implemented at the elementary and secondary levels;
- provides for relevant professional development and adequate resources; and • includes a method for program evaluation.

Character education is intended to educate students regarding those core civic values and virtues which are efficacious to civilized society and are common to the diverse social, cultural, and religious groups of the Commonwealth. It shall not include indoctrination in any particular religious or political belief. Consistent with this purpose, Virginia's civic values, which are the principles articulated in the Bill of Rights (Article I) of the Constitution of Virginia and the ideals reflected in the seal of the Commonwealth, as described in Va. Code § 1-500, may be taught as representative of such civic values.

Adopted: October 21, 1999

Revised: April 17, 2008

Revised: July 5, 2012

Revised: June 27, 2016

Revised: August 1, 2019

Revised:

Charlottesville City Schools
INSTRUCTION

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Cross Refs.: IKF The Virginia Assessment Program and Graduation Requirements
INB Teaching About Controversial Issues
INDC Religion in the Schools

© ~~5/19~~ VSBA 5/21

INSTRUCTION

File: IGAJ

DRIVER EDUCATION

The Charlottesville City School Board offers a program of driver education in the high school in the safe operation of motor vehicles. The program includes instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, **dangers of distracted driving and speeding**, organ and tissue donor awareness and fuel-efficient driving practices.

The School Board establishes fees that do not exceed the limit established by the State Department of Education for the behind-the-wheel portion of the program. The School Board may waive the fee or surcharge in whole or in part for those students it determines cannot pay the fee or surcharge.

Any student who participates in a driver education program must meet the academic requirements established by the Board of Education. No student shall be permitted to operate a motor vehicle without a learner's permit or a license. Necessary certification of students' academic standing and compliance with compulsory attendance laws shall be provided by the administration to the Department of Motor Vehicles upon request, in accordance with state law.

Driver education instructors possess valid driver's licenses and maintain satisfactory driving records. Any teacher of behind-the-wheel instruction who receives six or more demerit points in a 12-month period will be suspended from teaching driver education for 24 months.

At the beginning of each school year and thereafter as necessary, the Superintendent shall report to the Department of Motor Vehicles the name and driver's license number of all persons providing instruction in driver education for the school division.

Adopted: July 16, 1998
Amended: October 21, 1999
Amended: March 18, 2004
Amended: August 16, 2007
Reviewed: April 17, 2008
Revised: June 18, 2009
Revised: June 17, 2010
Revised: June 30, 2015
Revised:

Legal References: Code of Virginia, 1950, as amended, §§ 2.1-205, 46.3-334, 46.2-340

8 VAC 20-340-10
8 VAC 20-720-80

INSTRUCTION

File IGBH

ALTERNATIVE SCHOOL PROGRAMS

As special needs are determined, alternative programs may be established by the Charlottesville City School Board within existing schools or at separate sites that are within the jurisdiction of the Charlottesville City Schools. No person of school age meeting the residency requirements of Va. Code § Section 22.1-3 may be is charged tuition for enrollment in an alternative program offered as a regional or divisionwide initiative by the School Board.

~~Proposals for alternative school programs shall be developed by the superintendent or his/her designee and will be submitted to the Charlottesville City School Board for review and endorsement prior to implementation.~~

Proposals shall include:

- ~~1. A statement of justification for the alternative program explaining how it will meet the special needs or expectations of the target population and the community.~~
- ~~2. A plan which delineates the proposed organizational structure as it relates to staffing and the scope and structure of the total instructional program.~~
- ~~3. A statement of financial impact identifying all costs, including administration, staffing, equipping, supplying, transportation, support services, and maintaining the program.~~
- ~~4. A statement of related impact explaining how the proposed program will affect and interrelate with other programs and populations served in existing programs and facilities.~~
- ~~5. A statement of authentication verifying that all aspects of the program are in compliance with all appropriate federal, state, and local laws and regulations, and there is compliance with all applicable accreditation requirements.~~
- ~~6. If the proposal presents a potential conflict with existing regulations of the State Department of Education, special evidence of authorization from the State Department of Education must accompany the proposal.~~
- ~~7. A plan for evaluation that defines anticipated outcomes and establishes criteria and procedures for evaluating achieved outcomes.~~

Adopted: October 21, 1999
 Reviewed: April 17, 2008
 Reviewed: June 25, 2013
 Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, ~~section 22.1-253.13:1. 8 VAC 20-30-10.~~ §§ 22.1-5, 22.1-253.13:1.

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PERSONNEL

File: IIBEA/GAB

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD, DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

All use of Charlottesville City Schools' computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files, including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy. **Policy and the Technology Use Guidelines established by the superintendent.**

The superintendent is responsible for establishing Technology Use Guidelines, containing the appropriate uses, ethics and protocols for use of the computer system. **The superintendent is also responsible for reviewing and updating, as necessary, the Guidelines at least every two years.** It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

- ~~(1) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;~~
- (1) a prohibition against use of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet;
- (2) provisions, including the selection and operation of a technology protection measure for the division's computers having internet access to filter or block internet access through such computers, that seek to prevent access to:
 - a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and

Charlottesville City Schools
PERSONNEL

File: GAB/IIBEA

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c. material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;

- (3) provisions establishing that the technology protection measure is enforced during any use of CCS computers;
- (4) provisions establishing that all usage of the computer system may be monitored;
- (5) provisions designed to **educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking website, blogs, in chat rooms, and cyberbullying awareness and response;**
- (6) **provisions designed to** prevent unauthorized online access, including “hacking” and other unlawful online activities;
- (7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;
- (8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- (9) a component of internet safety for students that is integrated in the division’s instructional program.

Use of the CCS computer system ~~shall~~ **must** be consistent with the educational or instructional mission or administrative function of the school division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The CCS computer system is not a public forum.

Users of the division’s computer system have no expectation of privacy for use of the division’s resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

Software and/or services may not be installed or downloaded on the division’s computer system without the prior approval of the superintendent or superintendent’s designee.

Each user of the division's computer system and a parent/guardian of each student user shall sign the Acceptable Computer System Use Agreement, GAB-E1/IIBEA-E1, before using the CCS computer system.

The failure of any user to follow the terms of ~~the Agreement~~, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the internet. Furthermore, the School Board ~~will not be~~ **is not** responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board ~~will review, amend if necessary, and approve~~ **reviews and amends, if necessary,** this policy every two years.

Adopted: October 21, 1999

Revised: July 19, 2007

Reviewed: March 20, 2008

Revised: June 17, 2010

Revised: September 1, 2011

Revised: June 25, 2013

Revised: August 1, 2019

Revised:

Legal Refs: 18 U.S.C. §§ 1460, 2256.

47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1- 70.2, and 22.1-78.

Cross Refs.: EGAA Reproduction and Use of Copyrighted Materials

GBA/JHFA Prohibition Against Harassment and Retaliation

GCPD Professional Staff Discipline

GCQB Staff Research and Publishing

JFC Student Conduct

~~JFC-R Standards of Student Conduct~~

INSTRUCTION

File IICA

FIELD TRIPS

Field trips are off-campus instructional activities. Field trips can provide excellent educational experiences for students by enriching the curriculum and by making classroom learning experiences more meaningful. To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation, and opportunities to assimilate the experience during and after the trip. Teachers will plan advance activities that prepare students for the trip and follow-up activities that assist students in summarizing, applying, and evaluating information learned on the trip.

The following factors should be considered in proposing and approving field trips:

- The value of the trip to the particular class
- The relationship of the field trip to a particular aspect of the curriculum
- The distance travelled The time away from the regular instructional program
- The availability of transportation

No student ~~will be~~ is denied the opportunity to participate in a field trip because of a lack of funds.

Trips ~~will be~~ are approved by the superintendent or superintendent's designee pursuant to regulations developed by the superintendent. Approval must be obtained before commitments are made to students, parents, or commercial establishments. The superintendent ~~will make~~ makes an annual report to the School Board on field trips taken.

Trips for activities governed by the Virginia High School League do not require approval on a trip-by-trip basis. Parental permission for such trips may be obtained for the entire athletic season or school year.

The Charlottesville City School Board does not endorse or accept responsibility for any privately sponsored trips for students or any student trips which are not part of the instructional program. Employees are not permitted to solicit students for such trips. Employees who are involved with such trips must emphasize to any interested student/parent that such trips are strictly private enterprises.

Adopted: July 16, 1998
Reviewed: April 17, 2008
Revised: July 5, 2012
Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-70, 22.1-78, 22.1-176.

8 VAC 20-70-190.

8VAC 20-720-80.

Cross Reference JFCB Sportsmanship, Ethics and Integrity

INSTRUCTION

File IGAH
Page 2

JL Fund Raising and Solicitation
JN Student Fees, Fines, and Charges

© ~~2/12~~ 2/21 VSBA

INSTRUCTION

File IICB/IICC

COMMUNITY RESOURCE PERSONS/SCHOOL VOLUNTEERS

The Charlottesville City School Board supports and encourages the active participation of parents and members of the community in providing and extending educational opportunities for children. The involvement of parents, volunteers and others in the community who can serve as a resource to schools is a fundamentally important component of successful school programs. The administration of each school ~~will direct~~ directs the activities of parents, volunteers and other community resources at the building level.

Adopted: March 18, 2004
Reviewed: April 17, 2008
Revised: June 25, 2013
Revised: June 20, 2017
Reviewed:

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

8 VAC 20-131-270.

Cross Reference

- AD Educational Philosophy
- IGBC Parent and Family Engagement
- KA Goals for School-Community Relations
- KN Sex Offender and Crimes Against Minors Registry Notification Information
- KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

INSTRUCTION

File INB

TEACHING ABOUT CONTROVERSIAL ISSUES

The Charlottesville City School Board recognizes that preparation for effective citizenship is one of the major purposes of education. The preparation for effective citizenship includes the study of issues that are controversial. Such study ~~will be~~ is carried out in an atmosphere free from bias, prejudice, or coercion. The Superintendent will establish a committee, as needed, to approve the inclusion of issues that may be considered controversial and determine the methods or strategies of the material being taught to students. Following the approval of any topics, the students can be granted access to all relevant information. In teaching about controversial issues, teachers are expected to

- establish a learning environment where each student can study and research the issues, within a curriculum that is appropriate to ~~his or her~~ the student's knowledge and maturity; and
- provide instruction in a neutral manner in an atmosphere that is free from bias, prejudice, or coercion. Although the instructional program includes study of the political party system in the United States, the School Board does not endorse a political party or candidate.

Adopted: July 16, 1998
Revised: November 2, 2000
Reviewed: April 17, 2008
Revised: July 5, 2012
Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, section 22.1-78..

Cross Reference KF Distribution of Information Materials
 JOB **Administration of Surveys and Questionnaires**

STUDENT SERVICES

File: JB

EQUAL EDUCATIONAL OPPORTUNITIES/ NON DISCRIMINATION

1. Policy Statement

Equal educational opportunities ~~shall be~~ **are** available for all students, without regard to sex, gender, race, color, national origin, disability, religion, ancestry, age, marital or veteran's status, physical or mental genetic information, sexual orientation, gender identity or expression, or any classification protected by applicable law. Educational programs ~~shall be~~ **are** designed to meet the varying needs of all students.

No student, on the basis of sex or gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege or advantage or denied equal access to educational and extracurricular programs and activities.

~~The School Board shall:~~

- ~~provide facilities, programs and activities that are accessible, usable and available to qualified disabled persons;~~
- ~~provide a free, appropriate education, including non-academic and extracurricular services to qualified disabled persons;~~
- ~~not exclude qualified disabled persons, solely on the basis of their disabilities, from any preschool, daycare, adult education or career and technical education programs; and~~
- ~~not discriminate against qualified disabled persons in the provision of health, welfare or social services.~~

II. Complaint Procedure

A. File Report

Any student who believes he or she has been the victim of prohibited discrimination should report the alleged discrimination as soon as possible to one of the compliance officers designated in this policy or to any other school personnel. The alleged discrimination should be reported as soon as possible, and the report generally should be made within fifteen (15) school days of the occurrence. Further, any student who has knowledge of conduct which may constitute prohibited discrimination should report such conduct to one of the compliance officers designated in this policy or to any school personnel. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the compliance officers designed in this policy

STUDENT SERVICES

File: JB

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The reporting party should use the form, Report of Discrimination, JB-F, to make complaints of discrimination. However, oral reports and other written reports shall also be accepted. The complaint should be filed with either the building principal or one of the compliance officers designated in this policy. The principal shall immediately forward any report of alleged prohibited discrimination to the compliance officer. Any complaint that involves the compliance officer shall be reported to the Superintendent.

The complaint, and identity of the complainant and of the person or persons allegedly responsible for the discrimination will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint or as authorized by the complainant. A complainant who wishes to remain anonymous will be advised that such confidentiality may limit the school division's ability to fully respond to the complaint.

B. Investigation

Upon receipt of a report of alleged prohibited discrimination, the compliance officer shall immediately authorize or undertake an investigation. The investigation may be conducted by school personnel or a third party designated by the school division. The investigation shall be completed as soon as practicable, which should generally be not later than 14 school days after receipt of the report by the compliance officer. Upon receiving the complaint, the compliance officer shall acknowledge receipt of the complaint by giving written notice that the complaint has been received to both the person complaining of discrimination and the person or persons allegedly responsible for the discrimination. Also upon receiving the complaint, the compliance officer shall determine whether interim measures should be taken pending the outcome of the investigation. If the compliance officer determines that more than 14 school days will be required to investigate the complaint, the complainant and the person or persons allegedly responsible for the discrimination will be notified of the reason for the extended investigation and of the date by which the investigation will be concluded.

The investigation may consist of personal interviews with the complainant, the person or persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation will consider witnesses and evidence from both the complainant and the person or persons responsible for the alleged discrimination. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The school division shall take necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case-by-case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

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The compliance officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated and recommendations for corrective action, if any.

All employees shall cooperate with any investigation of alleged discrimination conducted under this policy or by an appropriate state or federal agency.

C. Action by the Superintendent

Within 5 school days of receiving the compliance officer's report, the Superintendent or designee shall issue a decision regarding (1) whether this policy was violated and (2) what action, of any, should be taken. This decision must be provided in writing to the complainant. If the Superintendent or designee determines that prohibited discrimination occurred, the Charlottesville City School Division shall take prompt, appropriate action to address and remedy the violation as well as prevent any recurrence. Such action may include discipline up to an including expulsion or discharge.

D. Appeal

If the Superintendent or designee determines that no prohibited discrimination occurred, the student who was allegedly subjected to discrimination may appeal this finding to the School board within 5 school days of receiving the decision. Notice of appeal must be filed with the Superintendent who shall forward the record to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may ask for oral or written argument from the aggrieved party and the Superintendent and any other individual the School board deems relevant. Written notice of the School Board's decision will be given to both the complainant and the person or persons responsible for the alleged discrimination.

If the Superintendent or designee determines that prohibited discrimination occurred and discipline is imposed, the disciplined person may appeal the disciplinary sanction in the same manner as any other such sanction would be appealed.

E. Compliance Officer and Alternate Compliance Officer

The Charlottesville City School Board has designated the Director of Human Resources of Charlottesville City Public Schools, 1562 Dairy Road, Charlottesville, VA 22901, 434-245-2400, as the Compliance Officer responsible for identifying, preventing and remedying prohibited discrimination. Complaints of discrimination may also be made to the Alternate Compliance Officer, Director of Student Services and Achievement, 1562 Dairy Road, Charlottesville, VA 22901, 434-245-2400. The Compliance Officer shall:

STUDENT SERVICES

File: JB

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- receive reports or complaints of discrimination;
- conduct or oversee the investigation of any alleged discrimination;
- assess the training needs of the school division in connection with this policy;
- arrange necessary training to achieve compliance with this policy;
- insure that any discrimination investigation is conducted by an impartial investigator who is trained in the requirements of equal education opportunity, and has the authority to protect the alleged victim and others during the investigation.

III. Retaliation

Retaliation against students or school personnel who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings. The Compliance Officer will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

IV. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited discrimination including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

V. Prevention and Notice of Policy

Training to prevent discrimination should be included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. All students and their parents/guardians shall be notified annually of the names and contact information of the compliance officers.

VI. False Charges

Students or school personnel who knowingly make false charges of discrimination shall be subject to disciplinary action.

Adopted: July 16, 1998
Revised: August 3, 2000
Revised: June 19, 2008

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Revised: June 25, 2013
Revised:

Legal References: 20 U.S.C. §§ 1681-1688
29 U.S.C. §§ 794
42 U.S.C. §§ 2000d-2000d-7

34 CFR 106.9

**Code of Virginia, 1950, as amended, §§2.2-3900, 2.2-3901, 2.2-3902,
22.1-23.3, 22.1-212.6:1**

Cross References: AC Nondiscrimination
AD Educational Philosophy
GB Equal Employment Opportunity/Nondiscrimination
JB-F Report of Discrimination
JBA Section 504 Nondiscrimination Policy and Grievance
Procedures
JFHA/GBA Prohibition Against Harassment and Retaliation

STUDENT SERVICES

File: JBA

SECTION 504 NON DISCRIMINATION POLICY AND COMPLAINT PROCEDURES

The Charlottesville City School Board does not discriminate against individuals on the basis of disability. The Charlottesville City School Board has established this policy as a way to provide prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. This policy provides an optional resolution procedure for a complainant. This procedure is not a prerequisite before a complainant may directly pursue any other remedy available under state or federal law. However, the policy of Charlottesville City School Board is for students, parents/guardians and employees to have the opportunity to make concerns known to the School Board and for the School Board to have the opportunity to respond to and resolve concerns as rapidly as practicable.

The goal of these procedures is to protect the substantive rights of interested persons, meet appropriate due process standards, assure School Board compliance with Section 504 of the Rehabilitation Act of 1973 and provide a prompt, equitable and impartial resolution of complaints alleging a violation of Section 504.

Any student or any parent or guardian of a student may be a complainant and may file a formal or informal grievance as provided below.

A. Formal Procedure

1. Filing a Complaint

Any complainant should submit a complaint alleging discrimination as soon as possible to the compliance officer or to any other school or school division staff. The complaint shall be submitted within 45 school days of the alleged discrimination. Any employee who has knowledge of conduct which may constitute discrimination shall immediately report such conduct to the Compliance Officer, the employee's supervisor, or to any other school or school division staff. Any employee who receives a complaint under this policy shall immediately forward the complaint to the Compliance Officer.

The complainant should use the "Complaint of Discrimination" form (see end of this policy) to make a complaint of discrimination. However, oral complaints ~~shall also be~~ **are also** accepted. The complaint should be filed with the school principal, other school or school division staff, or the Compliance Officer. School or school division staff receiving a complaint of discrimination shall forward it to the school principal; who shall immediately forward the complaint of discrimination to the Compliance Officer. Any complaint that involves the Compliance Officer shall be reported to the Superintendent. Any complaint that involves the Superintendent shall be reported to the School Board Chair.

The complaint and the identity of the complainant, the individual who is the subject of the complaint (if other than the complainant), and the persons allegedly responsible for the

discrimination will not be disclosed except as required by law or policy, as necessary to fully investigate the complaint, or as authorized by the complainant.

2. Investigation

Upon receipt of a report or complaint of discrimination, the Compliance Officer ~~shall immediately authorize or undertake~~ **immediately authorizes or undertakes** an investigation. The investigation may be conducted by school staff or a third party designated by the school division. The investigation shall be completed as soon as practicable, but not later than 15 school days after receipt of the complaint of alleged discrimination by the Compliance Officer unless the extension below is exercised. Within 3 school days of receiving the complaint, the Compliance Officer ~~shall send~~ **sends** written notice that the complaint has been received to the complainant and the person or persons allegedly responsible of the discrimination (~~the accused~~).

Also upon receiving the complaint, the Compliance Office ~~shall determine~~ **determines** whether interim measures should be taken pending the outcome of the investigation. If the Compliance Officer determines that more than 15 school days will be required to investigate the complaint, the Compliance Officer will notify the complainant and the ~~person or~~ **person or** persons allegedly responsible for the discrimination of the reasons for the extended investigation and of the date by which the investigation is projected to be concluded which will be no longer than an additional 15 school days. The investigation may consist of personal interviews with the complainant, the ~~person or~~ **person or** persons allegedly responsible for the discrimination, and any others who may have knowledge of the alleged discrimination or the circumstances giving rise to the complaint. The investigation may also include the inspection of any documents or information deemed relevant by the investigator. The complainant and the ~~accused shall~~ **person or persons allegedly responsible for the discrimination** have the right to identify witnesses and other relevant information as well as rebut evidence presented by ~~opposing parties~~ **others**. The school division ~~shall take~~ **takes** necessary steps to protect the complainant and others pending the completion of the investigation.

Whether a particular action or incident constitutes a violation of this policy requires a case-by-case determination based on all of the facts and circumstances revealed by a complete and thorough investigation.

The Compliance Officer shall issue a written report to the Superintendent upon completion of the investigation. If the complaint involves the Superintendent, then the report shall be sent to the School Board. The report shall include a determination of whether the allegations are substantiated, whether this policy was violated, and recommendations for corrective action, if any. The Compliance Officer's written report, and all written notices sent pursuant to this policy ~~shall be~~ **are** maintained and distributed in accordance with Family Educational Rights and Privacy Act **and Policy JO Student Records**. The report shall be issued to the Superintendent, the complainant and the accused **person or persons allegedly responsible for the discrimination** within 20 school days of receipt of the complaint, unless additional time was utilized for the investigation in which case the report shall be issued within 35 school days of receipt of the complaint.

3. Action by the Superintendent

Within 10 school days of receiving the Compliance Officer's report, the Superintendent or Superintendent's designee shall issue a decision regarding: (1) whether this policy was violated and, if so (2) what action, if any, will be taken. This decision must be provided in writing to the complainant and the ~~accused~~ **person or persons allegedly responsible for the discrimination**. If the Superintendent determines that discrimination occurred, the school division ~~shall take~~ **takes** prompt, appropriate action to address and remedy the harm and prevent any recurrence. Such action may include discipline up to and including recommending that a student be expelled or that an employee be discharged.

4. Appeal

If the Superintendent or designee determines that no discrimination occurred, the complainant may appeal this determination to the School Board within 5 calendar days of receiving the decision. Notice of appeal must be filed with the Superintendent, who shall forward the Compliance Officer's report and any documentation or information deemed relevant by the Compliance Officer during the course of the investigation to the School Board. The School Board shall make a decision within 30 calendar days of receiving the record. The School Board may require oral or written argument from the complainant, the person or persons ~~accused~~ **allegedly responsible for the** discrimination, the Superintendent, and any other individual it deems appropriate. An extension of the 30 calendar day time limit may occur if necessary as determined by the School Board Chair up to an additional 10 calendar days. The decision of the School Board shall be in writing and shall be provided to the complainant and the ~~accused~~ **person or persons allegedly responsible for the discrimination**.

If the Superintendent or ~~superintendent's~~ designee determines that discrimination occurred and discipline is imposed, the disciplined person (i.e. student or employee) may appeal the disciplinary sanction in accordance with existing School Board policies and regulations.

5. Compliance Officer and Alternate Compliance Officer

The School Board ~~shall at all times designate~~ **designates** a Compliance Officer responsible for identifying, preventing, and remedying discrimination as well as receiving complaints under this policy. The name and contact information for the Compliance Officer ~~shall be~~ **is** posted on the Division's website at all times. The compliance Office may be contacted at humanresources@charlottesvilleschools.org.

The Charlottesville City School Board's Compliance Officer ~~shall receive training and~~ **receives training and is** knowledgeable about the requirements of Section 504 in order to impartially and equitably resolve complaints and ensure compliance with the law. In addition, the Compliance Officer ~~shall~~:

- a. ~~receives~~ reports and complaints of discrimination;
- b. ~~conducts~~ or oversees the investigation of any alleged discrimination;

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File: JBA Page 4

- c. assesses the training needs of the school division in connection with this policy; and
- d. arranges necessary training to achieve compliance with this policy.

B. Informal Procedure

If the complainant and the **person or** persons allegedly responsible for the discrimination agree, the school principal, **principal's** designee, or the Compliance Office may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher, or other school or school division staff.

If the complainant and the **person or** persons allegedly responsible for the discrimination agree to attempt to resolve the complaint informally, they shall each be informed that they have the right to abandon the informal procedure at any time in favor of the initiation of the above formal procedures.

If the complaint is resolved informally, the counselor, teacher, or other school or school division staff shall notify the school principal of the resolution. The school principal shall notify the complainant, the **person or** persons allegedly responsible for the discrimination, and the Compliance Office in writing that the complaint has been resolved informally.

C. Retaliation

Retaliation against students, school staff, or school division staff who report discrimination or participate in the related proceedings is prohibited. The school division shall take appropriate action against any student or employee who retaliates against another student or employee who reports alleged discrimination or participates in related proceedings.

D. False Charges

Students, school staff, or school division staff who make false charges of discrimination ~~shall~~ **be are** subject to disciplinary action.

Adopted: June 19, 2008

Revised: June 16, 2011

Revised: June 27, 2016

Revised:

Cross References: GCPD Professional Staff Discipline
 JB Equal Educational Opportunities/Nondiscrimination
 ~~JFC-R Standards of Student Conduct~~
 JGD/JGE Student Suspension/Expulsion
 JO Student Records

©~~2/16~~ VSBA

File: JBA-F COMPLAINT OF DISCRIMINATION

Name of Complainant:

Student's School and Class:

Address, Email Address, and Phone Number(s):

Parent/Legal Guardian name, Address, Email Addresses, and Phone Number(s):

Dates of Alleged Discrimination:

Name of the persons you believe discriminated against you or others:

Please describe the disability that forms the basis of the complaint.

Please describe in detail the incidents of alleged discrimination, including where the when the incidents occurred. Please name any witnesses that my have information regarding the alleged discrimination. Attach additional pages if necessary.

Please describe any past incidents that may be related to this complaint.

Please identify any attempts you have made to discuss or resolve this issue with any school division staff, including the results of those discussions.

Please provide your suggestions about how the issue can be resolved.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant

Date Complaint Received

by: _____

Compliance Office

Date

Charlottesville City Public Schools

STUDENT SERVICES

File: JED

STUDENT ABSENCES/EXCUSES/DISMISSALS

I. Student Attendance Policy

A. Purpose

Student attendance is a cooperative effort and the School Board involves parents and students in accepting the responsibility for good attendance.

Each parent/guardian or person having control or charge of a child within the compulsory attendance age is responsible for such child's regular and punctual attendance at school as required under provisions of the law.

B. Definitions

The following words and terms shall have the following meanings unless the context clearly indicates otherwise:

Attendance conference: a face-to-face meeting, or an interaction that is conducted through the use of communication technology, at a minimum, after the sixth unexcused absence among school staff, parents and student. The conference may include community representatives to participate in resolving issues related to nonattendance and revisions to the current attendance plan if necessary.

Attendance plan: a plan developed jointly by a school representative, such as a school principal or his designee or attendance officer; parent; and student to resolve the student's absences and engage the student in regular school attendance. The plan shall identify reasons for absences and academic, social, emotional, and familial barriers that impede daily attendance along with positive strategies to address such reasons and impedances and support regular attendance. This plan may include school based activities or suggested referrals to community supports, or both.

Chronic absenteeism: when a student misses 10% (18 full schools days) or more of the school year, for any reason.

Court referral: filing a complaint to the Juvenile and Domestic Relations Court after the multidisciplinary team held an attendance conference and attempted interventions to address the student's continued nonattendance. Documentation of interventions regarding the student's unexcused absences, such as copies of the attendance plan, documentation of conference meetings, and compliance with the Code of Virginia, Section 22.1-258 must be provided to the intake worker.

Excused absence: an absence of an entire instructional school day with a reason acceptable to the school administration that is provided by the family. If circumstances permit, the family should provide the school with the reason for nonattendance prior to the absence.

Family: parent or parents, guardian or guardians, legal custodian or legal custodians, or other person or persons have legal control or charge of the student.

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Multi-disciplinary team: a school-based team that may be convened to review student records and to participate in prevention, early intervention, and provision of support services to address unexcused and excused absences, including school-based case management. These services should address academic, social, emotional, and familial barriers in order to improve regular school attendance. Team members may include, but are not limited to, the following: an administrator, school counselor, social worker or psychologist, student support liaison, special education and regular education teacher, and family engagement facilitators.

Truancy: the act of accruing one or more unexcused absences.

Unexcused Absence: an absence of an entire assigned instructional school day with no indication received by the school that the student's family is aware and supports the absence or the family provides a reason for the absence that is unacceptable to the school administration. The school administration may change an unexcused absence to an excused absence when it determines the family provided an acceptable reason meeting the criteria for the student's absence or there are extenuating circumstances.

C. Attendance Standards

1. Expectations:

School attendance is critical to academic achievement and preparing students for the world of work and personal success. The School Board expects students and their families to actively take responsibility for ensuring attendance, with support from the school. To help students develop desirable behavior patterns, as well as maximize their classroom learning, Charlottesville City Schools expects that students be punctual and regular in school class attendance. Families must support and encourage their children's school attendance and communicate regularly with schools when their children must be absent for any reason.

2. Family Support and Engagement:

Whenever attendance problems exist, appropriate school system resources shall be made available to support effective communication and intervention.

D. Excused Absences and Tardies

There are times when a student is unable to attend school. Each family having charge of a child enrolled in Charlottesville City Schools shall notify (via phone call, written note or electronic communication) the school about each day his or her child is absent all or part of any school day with a reason acceptable to the school administration. An automated call will go to the primary phone number when no family notification is received.

Absences and tardies that may be considered excused upon family notification to school include:

- Illness (if over two days, the school may require a note from a licensed healthcare provider)

- Medical and dental appointments
- Court appearance

- Death in the family
- Religious holiday or instruction
- Extenuating circumstances, which may include absence(s) for non-school division related activities, as determined by the school administration; and
- An absence from school resulting from a suspension or expulsion
- **for middle and high school students, one school day per school year to engage in a civic event**

E. Chronic Absenteeism

- When a student misses 10% or more of the school year at any given point in time and includes excused absences, unexcused absences and out of school suspensions. ●

Potential Negative Academic Outcomes:

1. Poorer student performance due to absenteeism begins as early as kindergarten and extends across grades, creating a cumulative effect
 2. Greater risk for dropping out than peers with regular attendance
- Potential problems with behavior and social emotional aspects of school
 1. Students may act out due to frustration
 2. Students who are frequently absent from school experience fewer opportunities to build positive relationships with adults
 3. Students may not develop behavioral and social emotional skills necessary for success in school and life

Students may have difficulty establishing and maintaining positive peer relationships

F. Compliance and Intervention

Unexcused Absences Intervention Process and Responsibility

Unexcused absence means an absence where (i) the student misses his scheduled instructional school day in its entirety and (ii) no indication was received by school personnel within three days of the absence that the student's family is aware and supports the absence, or the family provides a reason for the absence that is unacceptable to the school administration. The school administration or their designee may change an unexcused absence to an excused absence once determined that the family has provided an acceptable reason meeting the criteria for the student's absence or there are extenuating circumstances.

The following intervention steps shall be implemented to respond to unexcused absences from school and to engage students, and their families, in facilitating regular school attendance.

- Whenever a student fails to report to school on a regularly scheduled school day and no information is received by school personnel that the student's family is aware of and supports the absence, **or the parent provides a reason for the absence that is unacceptable to the school administration, the school principal, principal's designee,**

attendance officer or other school personnel or volunteer notices the parent by phone email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused". Early intervention with the student and parent or parents takes place for repeated unexcused absences.an automated call will be generated to the family/guardian. The school

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- staff shall record the student's absence for each day as "excused" or "unexcused". Early intervention with the student and family shall take place for repeated unexcused absences.
- When a student has five unexcused absences, the school principal or designee shall make a reasonable effort to ensure that direct contact is made with the family/guardian. The family/guardian shall be contacted in a face-to-face conference, by telephone, or through the use of other communication devices. During the direct contact the family/guardian and the student (if appropriate), reasons for non-attendance shall be documented and consequences and education regarding non-attendance shall be explained. An attendance plan shall be made with the student and the family/guardian to resolve the non-attendance issues. The student and family may be referred to a school-based multi-disciplinary team for assistance.
- When a student reaches six unexcused absences, school staff shall schedule a face-to-face attendance conference, or an interaction that is conducted through the use of communication technology, within 10 school days from the date of the student's sixth unexcused absence for the school year. The attendance conference must be held within 15 school days from the date of the sixth unexcused absence. The conference shall include the family/guardian , student and school personnel (which may include representatives from the multidisciplinary team) and may include community service providers.
- When a student has reached seven unexcused absences, and the student has a history of chronic absenteeism, the student and the family/guardian will be referred to the Charlottesville Tiered Systems of Support (CTSS). CTSS shall work with the family/guardian and student to resolve attendance and address barriers to attendance, including possible referrals for service. Possible school based interventions could be Check in-Check out, support from a student support liaison, or a small group focused on attendance.
- If the student continues to accumulate unexcused absences, school staff may contact the Juvenile and Domestic Relations District Court to file a complaint alleging the student is a Child in Need of Supervision (CHINN Sup) or to institute proceedings against the family/guardian. In addition to documentation of compliance with the notice provisions of 22.1-258 of the Code of Virginia, all records of intervention regarding the student's unexcused absences, such as copies of the conference, meeting notes, attendance plan, and

supports shall be presented to the intake worker.

- An attendance officer, or a division superintendent or the superintendent's designee when acting as an attendance officer pursuant to Va. Code § 22.1-258, may complete, sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance

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order entered by the juvenile and domestic relations district court pursuant to Va. Code § 16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228.

- Any student who is absent from school for 15 consecutive days (unexcused), will be officially withdrawn from school, per compulsory attendance expectations as noted in the Virginia Code 22.1-254. In such cases, the school principal, or designee, must alert the family or guardian in writing at such time that a student is withdrawn from school records.
- A record shall be maintained of each meeting that includes the attendance plan, the name of individuals in attendance at each conference meeting (including via telephone or electronic devices), the location and date of the conferences, a summary of what occurred and follow up steps.
- For purposes for data collection, truancy shall start with the first unexcused absence and will be cumulative. Excused and unexcused absences shall be counted for each individual student and shall be reported to the Virginia Department of Education as follows:
 - All excused and unexcused absences as defined in this policy for each individual student shall be collected
 - For each student with five unexcused absences, whether an attendance plan was developed, and if not, the reason.
 - For each student with six unexcused absences, whether an attendance conference was held, and if not, the reason.
 - For each student with seven or more unexcused absences, whether a court referral was made or proceedings against the family/guardian were initiated and, if not, the reason.

G. Fifteen Consecutive Absences

- Any student who is absent from school for 15 consecutive days (unexcused), will be officially withdrawn from school, per compulsory attendance expectations as noted in the Virginia Code 22.1-254. In such cases, the school principal, or designee, must alert the family or guardian in writing at such time that a student is withdrawn from school records. Students who are withdrawn from CCS due to 15 consecutive absences are still required, per Virginia Code 22.1-254, to attend another school every day and will be subject to

intervention for violation of such laws. When student have been withdrawn from school due to accrual of 15 or more consecutive days, the schools support staff must make every

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effort to ensure that the following interventions have occurred:

1. School support staff must re-engage the student and family/guardian to confirm the whereabouts of the youth.
2. School support staff must confirm the educational plan for the student.
3. School support staff may collaborate with Court Services Unit staff regarding interventions and sanctions.

H. Release of Students

Principals shall not release a student during the school day to any person not authorized by the student's family or legal guardian. Students shall be released only on the request and authorization of the family or legal guardian. The burden of proof that the release is authorized is on the person receiving the student. Schools will maintain a formal checkout system to ensure this requirement is met.

Adopted: June 19, 2008
Revised: June 18, 2009
Revised: June 19, 2010
Revised June 25, 2013
Revised: June 20, 2017
Revised: June 19, 2018
Revised: August 6, 2020
Revised:

Legal References.: Code of Virginia, 1950, as amended, §§ 22.1-227.1, 22.1-254, 22.1-258, 22.1-260, 22.1-279.3, 46.2-323, 46.2-334.01, and 54.1-3900.

8 VAC 20-230-20.

8 VAC 20-730-10.

8 VAC 20-730-20.

Cross References.: IGAJ Driver Education
JFC Student Conduct

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STUDENT CONDUCT

Generally

The Charlottesville City School Board establishes expectations for student conduct so that public education is conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.

In addition to the types of conduct prohibited below, the superintendent issues Standards of Student Conduct and a list of possible actions for violations of those Standards.

This Policy and the Standards of Student Conduct apply to all Charlottesville City school students. They are enforced when the student's conduct occurs when the student is • On school property.

- Traveling to school or from school.
- Traveling to, at, and from bus stops.
- In School Board vehicles.
- In attendance at any school-sponsored activity.
- Off school property if the conduct disrupts the learning environment.

The School Board and superintendent biennially review the model student conduct code developed by the Virginia Board of Education to incorporate into policy and the Standards of Student Conduct a range of discipline options and alternatives to preserve a safe and non disruptive environment for effective learning and teaching.

Parental Involvement and Responsibility

Each parent of a student enrolled in Charlottesville City Schools has a duty to assist the school in enforcing this policy, the Standards of Student Conduct and compulsory 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. This policy, the Standards of Student Conduct, a notice of the requirements of Va. Code § 22.1-279.3, and a copy of the compulsory attendance law shall be sent to all parents within one calendar month of the opening of schools simultaneously with any other materials customarily distributed at that time. A statement for the parent's signature acknowledging the requirements of the Standards of Student Conduct shall be sent. A statement for the parent's signature acknowledging the receipt of this policy, the Standards of Student Conduct, § 22.1-279.3 of the Code of Virginia, 1950, as amended, and a copy of the compulsory attendance law shall be sent. Parents shall be notified that by signing the statement of receipt, they are not deemed to waive, but expressly reserve, their rights protected by the Constitution or laws of the United States or Virginia. Each school shall maintain records of the signed statements.

The Mutual Accountability Agreement (MAA) form will be sent to each parent with the Code of the Standards of Student Conduct. This agreement describes the responsibility of the school division, each student's school, parents and students. Each party will sign the agreement to indicate willingness to accept the responsibility for the student's success both in academics and behavior.

The school principal may request the student's parent or parents, if both have legal and physical custody, to meet with the principal or principal's designee to review this policy, the Standards of Student Conduct and the parent's responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with the compulsory attendance law, and to discuss improvement of the child's behavior, school attendance, and educational progress.

The school principal shall notify the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory attendance requirements when such violation will result in the student's suspension or the filing of a court petition. The notice shall state (1) the date and particulars of the violation; (2) the obligation of the parent to take actions to assist the school in improving the student's behavior, and (3) that, if the student is suspended, the parent may be required to accompany the student to meet with school officials and (4) that a petition with the juvenile and domestic relations court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee shall notify the parent of any student involved in an incident required to be reported to the Superintendent and Virginia Board of Education as described in Policy CLA Reporting Acts of Violence and Substance Abuse.

If the parent fails to comply with this policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the Code of Virginia.

A parent, guardian or other person having control or charge of a student is notified in writing of any disciplinary action taken with regard to any incident upon which an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G was based and the reasons therefor. The parent or guardian is also notified of the parent or guardian's right to review, and to request an amendment of, the student's scholastic record, in accordance with regulations of the Board of Education governing the management of scholastic records.

Prevention, Intervention, and Treatment Activities and Programs

Any student involved in a reportable drug or violent incident, as described in Policy CLA Reporting Actos of Violence and Substance Abuse, participants in prevention and intervention activities deemed appropriate by the Superintendent or Superintendent's designee.

Further, any student who has been found to be in possession of or under the influence of drugs or alcohol on school property or at a school sponsored activity may be required to (1) undergo evaluation for drug or alcohol abuse and (2) participate in a drug and/or alcohol treatment program if recommended by the evaluator and if the parent consents.

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Students may possess a beeper, cellular phone, Personal Digital Assistant (PDA) or other communications device on school property, including school buses, provided that the device must remain off and out of sight during instructional time unless approved by staff for educational purposes. If a student possesses such a device other than as permitted in this policy, in addition to other disciplinary sanctions which may be imposed, the device may be confiscated from the student and returned only to the student's parent/guardian.

Prohibited Conduct

The following conduct is prohibited. Students engaging in such conduct are subject to disciplinary action.

Bullying and Use of Electronic Means for Bullying

Bullying is prohibited. "Bullying" means any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument or peer conflict.

Gang Activity

Gang activity, as defined in Policy JFCE Gang Activity or Association, is prohibited.

Harassment

As provided in Policy JFHA/GBA Prohibition Against Harassment and Retaliation, students are prohibited from harassing other students, school staff, volunteers, student teachers or any other person present in school facilities or at school functions.

Hazing

Hazing is prohibited.

Hazing means to recklessly or intentionally endanger the health or safety of a student or students or to inflict bodily harm on a student or students in connection with or for the purpose of initiation, admission into or affiliation with or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body regardless of whether the

student or students so endangered or injured participated voluntarily in the relevant activity.

Intentional Injury of Others

Students are prohibited from intentionally injuring others.

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Self-defense

Whether a student acted in self-defense is considered when the student's conduct is evaluated for disciplinary action.

Threats: Intimidation

Students are prohibited from making any verbal, written or physical threat of bodily injury to another person.

Trespassing

Students, including students who have been suspended or expelled, are subject to disciplinary action for trespassing on school property

Use and/or Possession of Alcohol, Tobacco Products, Nicotine Vapor Products, Anabolic Steroids, and Other Drugs

Students are prohibited from possessing, using, or distributing any of the restricted substances listed below on school property, on school buses or during school activities, on or off school property.

Students are prohibited from attempting to possess, use, consume, procure and/or purchase, any of the restricted substances listed below or what is represented by or to the student to be any of the restricted substances listed below or what the student believes is any of the restricted substances listed below.

Students are prohibited from being under the influence of any of the restricted substances listed below, regardless of whether the student's condition amounts to legal intoxication.

Restricted substances include but are not limited to alcohol, tobacco products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, nicotine vapor products as defined in Policy JFCH Tobacco Products and Nicotine Vapor Products, inhalant products, and other controlled substances defined in the Drug Control Act, Chapter 15.1 of Title 54 of the Code of Virginia, such as anabolic steroids, stimulants, depressants, hallucinogens, marijuana, imitation and look-alike drugs, drug paraphernalia and any prescription or non-prescription drug possessed in violation of School Board policy.

In addition to any other consequences which may result, a student who is a member of a school athletic team will be ineligible for two school years to compete in interscholastic athletic competition if the school principal and the superintendent determine that the student used anabolic steroids during the training period immediately preceding or during the sport season of the athletic team, unless such steroid was prescribed by a licensed physician for a medical condition.

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Use of Profane or Obscene Language and Conduct

Students are prohibited from using profane or obscene language or engaging in profane or obscene conduct.

Vandalism

Students are prohibited from vandalizing school property and the property of any School Board staff member or any other person.

The School Board may recover damages sustained because of the willful or malicious destruction or, or damage to, public property pursuant to Policy ECAB Vandalism.

Adopted: July 16, 1998

Revised: April 15, 1999

Revised: April 15, 2004

Revised: June 19, 2008

Revised: June 16, 2011

Revised: June 25, 2013

Revised: June 26, 2014

Revised: June 30, 2015

Revised: August 6, 2020

Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§16.1-260, 18.2-56, 18.2-308.1, 18.2-308.7, ~~22.1-23.3~~, 22.1-78, 22.1-200.1, 22.1-253.13:7.C.3; 22.1-254, 22.1-276.3, 22.1-277, 22.1-277.08, 22.1-277.2, 22.1-279.1, 22.1-279.3, 22.1-279.3:1, 22.1-279.6, 22.1-288.2.

Model Guidance for Positive and Preventive Code of Student Conduct Policy and Alternatives to Suspension, Virginia Board of Education January 2019.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse EBB

Threat Assessment Teams

ECAB Vandalism

IIBEA/GAB Acceptable Computer System Use

~~HBEA-R/Technology Use Guidelines~~

~~GAB-R~~

JFCE Gang Activity or Association

JFCF Drugs in School

JFG Search and Seizure

JFHA/GBA Prohibition Against Harassment and Retaliation

JGA Corporal Punishment

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JGD/JGE Student Suspension/Expulsion

JGDA Disciplining Students with Disabilities

JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily
Injury

JN Student Fees, Fines and Charges

STUDENT SERVICES

File: JFCA

TEACHER REMOVAL OF STUDENTS FROM CLASS

Teachers have the initial authority to remove students from class for disruptive behavior. "Disruptive behavior" means a violation of School Board policies or regulations issued by the superintendent governing student conduct that interrupts or obstructs the learning environment.

This removal is not equivalent to a referral to the school administration for disciplinary actions including suspension. This removal is teacher-directed with principal notification for temporary placement of a student in another setting within the school.

Criteria for Removal

In order for a teacher to remove a student from class for disruptive behavior:

- removal of the student from the class must be necessary to restore a learning environment free from interruptions and obstructions caused by the student's behavior,
- interventions by the teacher and/or administrator have been attempted and failed to end the student's disruptive behavior, and
- notice of the student's disruptive behavior and the opportunity to meet with the teacher and/or school administrators must have been provided to the student's parents as described below.

When all of the above criteria have been satisfied, a teacher may remove a student from class.

Requirements for Incident Reports

Teachers will meet with students when disruptive behavior is an issue to discuss needed changes in behavior. Teachers should write incident reports regarding all incidents of disruptive behavior. The reports will be filed with the school administration and provided to the student's parents within 24 hours of the incident. The parents must be given the opportunity to meet with the teacher and/or school administrator to discuss the student's behavior and the possible consequences if the behavior continues. The teacher will document, in writing, his or her attempts to request and encourage the parents to meet with him or her or school administrators.

A teacher may not remove a student from class for disruptive behavior unless two written incident reports have been filed with school administrators and provided to the student's parents concerning two prior incidents of disruptive behavior. Upon removal, the teacher shall file a "Student Removal Form" (Form JFCA-F) with school administrators. The teacher will include

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any other documentation supporting the removal including, but not limited to, the previous two incident reports.

Procedures for Written Notification of Student and Parents

The teacher shall provide copies of any incident report and Student Removal Form to the student and ~~his or her~~ **the student's** parents and notify them of the opportunity to meet with the teacher and/or school administrators to discuss the behavior and the possible consequences if the behavior continues. Such notice shall be provided within twenty-four hours of each incident. The teacher shall document, in writing, his or her attempts to request and encourage the parents to meet with school administrators and/or the teacher. Such notice and documentation shall be required for each incident report and student removal.

The incident reports will not become a part of the student's discipline record unless the student is referred to the administration for disciplinary actions.

Guidelines for Alternative Assignment and Instruction of Removed Students

The principal shall determine the appropriate placement of any student removed from class by a teacher. The principal may:

1. assign the student to an alternative program.
2. assign the student to another class.
3. send the student to the principal's office or study hall. If the principal chooses this option, the teacher shall provide and evaluate appropriate make-up work for the student.
4. suspend or recommend the student for expulsion. If the principal chooses this option, alternative instruction and assignment, if any, shall be provided according to School Board policy and in the case of students with disabilities, in accordance with federal law.
5. return the student to class (in accordance with the procedures below).

Procedure for the Student's Return to Class

The principal shall determine, after consultation with the teacher, the duration of the student's removal from class. The principal shall notify the teacher of the decision to return the student to class. If the teacher disagrees with the principal's decision to return a student to the class:

- the teacher and principal shall discuss the teacher's objection to returning the student to class and the principal's reason for returning the student.
- the teacher, after meeting with the principal, may appeal the principal's decision to the Superintendent or designee within one school day. The incident reports and

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removal form must accompany the appeal. After discussion with the principal and teacher or after receiving their written comments, the decision of the Superintendent or designee shall be final. The decision shall be made within forty-eight hours of the teacher's appeal. During the appeal process, the student shall not be returned to class and the principal will determine an appropriate placement for the student.

Once the decision has been made to return the student to class, the teacher and principal shall develop a plan to address future disruptive behavior.

Other Provisions

The principal shall ensure that students removed from class under this policy continue to receive an education in accordance with School Board policies.

Application of this policy to students with disabilities shall be consistent with federal and state law and regulations as well as School Board policy regarding students with disabilities.

Teacher deficiencies in classroom management shall be addressed in teacher evaluations pursuant to Policy GCN-Evaluation of Professional Staff.

This policy does not limit or restrict the ability of school division employees to apply other policies, regulations or laws for maintaining order in the classroom.

Adopted: April 15, 2004
Revised: June 19, 2008
Revised: June 25, 2013
Reviewed: June 20, 2017
Revised: August 6, 2020
Revised:

Legal Reference: Code of Virginia, 1950, as amended, §§ 22.1-276.01, 22.1-276.2

Cross Refs: GCN Evaluation of Professional Staff

JFC Student Conduct

JGDA Disciplining Students with Disabilities

JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury

JGD/JGE Student Suspension/Expulsion

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File JFCE

GANG ACTIVITY OR ASSOCIATION

The School Board recognizes the existence of gangs in the community and the threat they pose to the educational environment. Therefore, students shall not engage in gang activity on school grounds, on school buses or on any school sponsored activity. In addition, students shall not engage in gang activity using the School Division computer system at any time.

A gang is defined as any group of three or more persons whose purpose includes:

- commission of illegal acts
- participation in activities that threaten the safety of persons or property
- disruption of the school environment
- creation of an atmosphere of fear and intimidation.

Students are subject to disciplinary action in accordance with Policy JFC Student Conduct and ~~Regulation JFC~~ the Standards of Student Conduct issued by the superintendent for participating in gang activity.

Gang activity is defined as:

- wearing, using, distributing, displaying, or selling any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership or affiliation in any gang;
- committing any act, or using any speech, either verbal or non-verbal (such as gestures or ~~hand-shakes~~ handshakes) showing membership or affiliation in a gang;
- using any speech or committing any act in furtherance of the interests of any gang, including: (a) soliciting, hazing and initiating others for membership in any gang, (b) requesting any person to pay protection or otherwise intimidating or threatening any person, (c) committing any other illegal act or other violation of school policy and inciting other students to act with physical violence;
- inappropriate congregating, bullying, cyberbullying, harassment, intimidation, degradation, disgrace and/or related activities which are likely to cause bodily danger, physical harm, or mental harm to students, employees or visitors.

The superintendent or superintendent's designee, in cooperation with local law enforcement and/or juvenile agencies, develops and regularly updates a regulation listing known gang clothing, jewelry, emblems, badges, signs, gestures, handshakes and symbols.

The superintendent or superintendent's designee provides in-service training in gang behavior and characteristics to facilitate staff identification of students at-risk of gang involvement and promote membership in authorized school groups and/or activities as an alternative.

Adopted: July 16, 1998
Revised: June 19, 2008
Revised: June 25, 2013
Revised: August 1, 2019
Revised:

PERSONNEL

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Legal Reference: Code of Virginia, as amended, §§ 18.2-46.1, 22.1-70, 22.1-78, 22.1-79(2),
~~§ 22.1-276.01~~ 22.1-276.01, 22.1-279.6.

Cross References: IIBEA/GAB Acceptable Computer System Use
JFC Student Conduct
~~JFC-R Standards of Student Conduct~~

© ~~5/19~~ 2/21 VSBA

STUDENT SERVICES

File: JFCF

DRUGS IN SCHOOL

I. Generally

~~Possession of a controlled substance, imitation controlled substance or marijuana, as defined in Va. Code §18.2-247 on school property or at a school sponsored activity is prohibited.~~

No person may manufacture, sell or distribute or possess with intent to sell, give or distribute any controlled substance, imitation controlled substance, or alcohol while

- **On the property, including building or grounds, of any public school;**
- **On public property or any property open to public use within 1,000 feet of the property, including building or grounds, or any public school;**
- **On any school bus; or**
- **At an designated school bus stop or any property open to public use within 1,000 feet of such school bus stop during the time when school children are waiting to be picked up and transported to or are being dropped off from school or a school sponsored activity.**

A. Expulsion

A student who is determined to have brought a controlled substance, imitation controlled substance or ~~marijuana~~ **alcohol**, onto school property or to a school sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The superintendent may determine, based on the facts of the particular case, that special circumstances exist and another form of discipline is appropriate. Any such disciplinary action shall be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

B. Prevention and Intervention

Any student who violates this policy shall participate in the prevention and intervention activities identified in Charlottesville City school division's drug and violence prevention plan.

The School Board may require any student who is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.

C. Required Reporting to Parents and Local Law Enforcement

The Principal shall report a violation of this policy to parents and local law enforcement as required by Policy CLA **Reporting Acts of Violence and Substance Abuse.**

II. Students with Disabilities

A. Students with disabilities are subject to the provisions of Section I of this policy and may be disciplined to the same extent as a nondisabled student provided the manifestation review committee determines that the violation was not a manifestation of the student's disability. The provisions of Policy JGDA Disciplining Students with Disabilities will be followed in addition to the regular disciplinary procedures.

B. Additional authority to remove a student with a disability from school for a drug violation.

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs,

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or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.

2. For purposes of this forty-five (45) school day removal, "illegal drugs" and "controlled substance" are defined as follows:

- a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).

- b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Adopted: June 19, 2008

Revised: June 16, 2011

Revised: June 26, 2014

Revised: June 30, 2015

Revised: August 1, 2019

Revised:

1415

21 U.S.C. § 812(e).

Code of Virginia, 1950, as amended, §§ 18.2-247, 18.2-250, 18.2-250.1,
18.2-255.2, 22.1-277.08.

8 VAC 20-81-10.

Cross Refs: CLA Reporting Acts of Violence and Substance Abuse
JGD/JGE Student Suspension/Expulsion
JFC Student Conduct
~~JFC-R Standards of Student Conduct~~
JGDA Disciplining Students with Disabilities

©5/19 VSBA

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File JFCL

NOTIFICATION REGARDING PROSECUTION OF JUVENILES AS ADULTS

The Charlottesville City School Board ~~will annually provide~~ annually provides information developed by the Office of the Attorney General to students regarding laws governing the prosecution of juveniles as adults for the commission of certain crimes.

~~At the same time students will also be informed that all adult convictions (i.e. from age 18 and up or juvenile charges treated as adult charges) stay on a person's record for the rest of his/her life under Virginia law, and convictions on a criminal record can have serious negative impacts on their ability to get jobs and to generally pursue their goals in life.~~

Adopted: July 5, 2012

Revised:

Legal References: Code of Virginia, 1950, as amended, §22.1-279.4.

PERSONNEL/STUDENT SERVICES

File: GBA/JFHA

PROHIBITION AGAINST HARASSMENT AND RETALIATION

I. Policy Statement

The Charlottesville City School Division is committed to maintaining a ~~learning/working~~ **educational** environment **and workplace** that is free of ~~sexual harassment and from~~ harassment. **In accordance with the law, the Board prohibits harassment against students, employees or others on the basis of** ~~based on~~ sex, gender, race, color, national origin, disability, religion, ancestry, age, marital ~~status~~ **status** ~~or veteran's status~~ **military status**, pregnancy, childbirth or related medical conditions, physical or mental, genetic information, sexual orientation, gender identity ~~or expression~~, political affiliation, or disability **or any other characteristic protected by law or based on an belief that such characteristic exists, hereinafter referred to as protected group status, at school or any school sponsored activity.** Therefore, the Charlottesville City School Division prohibits sexual harassment and harassment based on race, national origin, disability or religion, exists, and hereinafter referred to as protected group status, of any school personnel at school or at any school-related activity.

It shall be a violation of this policy for any student or school personnel to harass any student or school personnel based on protected group status **at school or any school sponsored activity.** Further, it shall be a violation of this policy for any school personnel to tolerate ~~sexual harassment or~~ harassment based on a student's or employee's protected group status **at school or any school sponsored activity,** by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes School Board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Division.

The School Division ~~shall:~~

- (1) promptly investigates all complaints, written or verbal, of harassment based on protected group status at school or any school sponsored activity;
- (2) promptly takes appropriate action to stop any harassment and
- (3) takes appropriate action against any student or school personnel who violates this policy and
- (4) takes any other action reasonably calculated to end and prevent further harassment of school personnel or students.

II. Definitions

The Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversee investigation of those complaints as described below.

“Consent” is clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Prohibited Conduct

A. Harassment Based on Sex

Harassment based on sex consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication, which may include use of cell phones or internet, of a sexual nature when submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment or education; submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or that conduct or communication substantially or unreasonably interferes with an individual’s employment or education, or creates an intimidating, hostile or offensive employment or educational environment (i.e. the conduct is sufficiently serious to limit a student’s or an employee’s ability to participate in or benefit from the educational program or work environment).

Examples of conduct which may constitute harassment based on sex if it meets the immediately preceding definition include:

- unwelcome sexual physical contact
- unwelcome ongoing or repeated sexual flirtation or propositions, or remarks
 - sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
- graphic comments about an individual’s body
- sexual jokes, notes, stories, drawings, gestures or pictures
- spreading sexual rumors
- touching an individual’s body or clothes in a sexual way
- displaying sexual objects, pictures, cartoons or posters
- impeding or blocking movement in a sexually intimidating manner
 - display or written materials, pictures, or electronic images
- unwelcome acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex stereotyping

“Sexual harassment prohibited by Title IX” means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual’s participation in unwelcome sexual conduct;

- unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School Board's education program or activity; or
- "sexual assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. § 12291(a)(8), "domestic violence" as defined in 34 U.S.C. § 12291(a)(8), or "stalking" as defined in 34 U.S.C. § 12291(a)(30).

B. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual's race, national origin, disability or religion when the conduct:

- creates an intimidating, hostile or offensive working or educational environment;
- substantially or unreasonably interferes with an individual's work or education; or
- otherwise is sufficiently serious to limit an individual's employment opportunities or to limit a student's ability to participate in or benefit from the education program.

Examples of conduct which may constitute harassment based on race, national origin, disability or religion if it meets the immediately preceding definition include:

- graffiti containing racially offensive language
- name calling, jokes or rumors
- physical acts of aggression against a person or his property because of that person's race, national origin, disability or religion
- hostile acts which are based on another's race, national origin, religion or disability
- written or graphic material which is posted or circulated and which intimidates or threatens individuals based on their race, national origin, disability or religion.

C. Additional Prohibited Behavior

Behavior that is not unlawful may nevertheless be unacceptable for the educational environment or the workplace. Demeaning or otherwise harmful actions are prohibited particularly if directed at personal characteristics including socioeconomic level regardless of whether the personal characteristic is protected by law.

"Title IX" means 20 U.S.C. §§ 1681-1688 and the implementing regulations.

Title IX Coordinator means the person designated by the School Board to coordinate its efforts to comply with its responsibilities under this policy and Title IX.

The Title IX Coordinator may be contacted at the Division Administration Office 1562 Dairy Road Charlottesville, Virginia 22903.

III. Complaint Procedures

The complaint process has both formal and informal procedures for addressing the

complaint. Both procedures are described in accompanying regulations, while timelines are prescribed, school officials investigating a complaint will attempt to resolve the issue

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as soon as possible. Any staff member who wants to file a complaint is able to informally inform a school official at the school or central office who will assist in following the appropriate procedures.

IV. Retaliation

Retaliation against students or school personnel who report harassment or participate in any related proceedings is prohibited. The School Division shall take appropriate action against students or school personnel who retaliate against any student or school personnel who reports alleged harassment or participates in related proceedings. Title IX Coordinator will inform persons who make complaints, who are the subject of complaints, and who participate in investigations of how to report any subsequent problems.

V. Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

VI. Prevention and Notice of Policy

Training to prevent prohibited by law or by this policy is included in employee and student orientations as well as employee in-service training.

This policy shall be (1) displayed in prominent areas of each division building in a location accessible to students, parents and school personnel, (2) included in the student and employee handbooks; and (3) sent to parents of all students within 30 calendar days of the start of school. Further, all students, and their parents/guardians, and employees shall be notified annually of the names and contact information of the compliance officers.

VII. False Charges

Students or school personnel who knowingly make false charges of harassment shall be subject to disciplinary action as well as any civil or criminal legal proceedings.

Adopted: September 21, 2000

Revised: June 19, 2008

Revised: June 16, 2011

Revised: June 30, 2015

Revised: August 6, 2020 Revised:

Legal References: 20 U.S.C. §§ 1681-1688.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7
42 U.S.C. §§ 2000e-2000e-17
42 U.S.C. § 2000ff-1

34 C.F.R. 106.2, 106.8, 106.9, 106.30, 106.44, 106.45, 106.71.

Code of Virginia, 1950 as amended, §§ 2.2-3900, 2.2-3901, 2.2.3902,
22.1-23.3, 22.1- 295.2.

Cross References: AC Nondiscrimination
AD Educational Philosophy
GAB/IIBEA Acceptable Computer System Use
GB Equal Employment Opportunity/Nondiscrimination
GBA-F/JFHA-F Report of Harassment
GBM Professional Staff Grievances
GBMA Support Staff Grievances
JB Equal Educational Opportunities/Nondiscrimination
JFC Student Conduct
GCPD Professional Staff Discipline
GAE Child Abuse and Neglect Reporting
KKA Service Animals in Public Schools

STUDENT SERVICES

File: JGD /JGE

STUDENT SUSPENSION/EXPULSION

I. DEFINITIONS

As used in this Policy,

“Alternative education program” shall include night school, adult education or another education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

“Destructive device” means (1) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. “Destructive device” does not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.

“Disruptive behavior” means a violation of school board policies or the Standards of Student Conduct issued by the superintendent pursuant to Policy JFC Student Conduct that interrupts or obstructs the learning environment.

“Exclusion” means a Virginia school board’s denial of school admission to a student who has been expelled or has been placed on a long-term suspension of more than thirty calendar days by another school board or a private school, either in Virginia or another state, or for whom admission has been withdrawn by a private school in Virginia or another state.

“Expulsion” means any disciplinary action imposed by a school board or a committee thereof, as provided in school board policy, whereby a student is not permitted to attend school within the school division and is ineligible for readmission for 365 calendar days after the date of the expulsion.

“Firearm” means (1) any weapon, including a starter gun that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. “Firearm” does not include any pneumatic gun as defined in this Policy.

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“Long-term suspension” means any disciplinary action whereby a student is not permitted to attend school for more 11 to 45 school days.

“One year” means 365 calendar days as required in federal regulations.

“Pneumatic gun” means any implement, designed as a gun that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.

“School Board Disciplinary Committee or Disciplinary Committee” means a committee composed of at least three members of the Charlottesville City School Board.

“School property” means any real property owned or leased by the School Board or any vehicle owned or leased by the School Board or operated by or on behalf of the School Board.

“Short-term suspension” means any disciplinary action whereby a student is not permitted to attend school for a period not to exceed ten school days.

In Sections III, IV, VI, and VIII of this Policy, “superintendent’s designee” means a 1) trained hearing officer or 2) professional employee in the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY

Pupils may be suspended or expelled from attendance at school for sufficient cause; however, in no case may sufficient cause for suspension include only instances of truancy.

Except as provided in subsection C of Va. Code § 22.1-277 or Va. Code §§ 22.1-277.07 or 22.1-277.08, no student in preschool through grade three is suspended for more than three school days or expelled from attendance at school, unless (i) the offense involves physical harm or credible threat of physical harm to others or (ii) the School Board or the superintendent or superintendent’s designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Any student for whom the superintendent has received a report pursuant to Va. Code § 16.1-305.1 of an adjudication of delinquency or a conviction for an offense listed in subsection G of Va. Code § 16.1-260 may be suspended or expelled from school attendance.

The authority of teachers to remove students from their classes in certain instances of

disruptive behavior shall not be interpreted to affect the operation of this Policy.

The superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after the suspension.

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III. SHORT-TERM SUSPENSIONS

A pupil may be suspended for not more than ten school days by either the school, any assistant principal, or, in their absence, any teacher. The principal, assistant principal or teacher may suspend the pupil after giving the pupil oral or written notice of the charges against him and, if he denies them, an explanation of the facts as known to school personnel and an opportunity to present his version of what occurred. In the case of any pupil whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the pupil may be removed from school immediately and the notice, explanation of facts and opportunity to present his version shall be given as soon as is practical thereafter.

Upon suspension of any pupil, the principal, assistant principal or teacher responsible for such suspension reports the facts of the case in writing to the superintendent or superintendent's designee and the parent of the pupil suspended. The superintendent or superintendent's designee reviews forthwith the action taken by the principal, assistant principal or teacher upon a petition for such review by any party in interest and confirms or disapproves such action based on an examination of the record of the pupil's behavior.

The decision of the division Superintendent or designee shall be final and may not be appealed.

Any oral or written notice to the parent of a student who is suspended from school attendance for not more than ten days includes notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, are borne by the parent of the student.

IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and the pupil's parent of the proposed action and the reasons therefore and of the right to a hearing before the Disciplinary Committee. The Disciplinary Committee may confirm or disapprove the suspension. If the Disciplinary Committee's decision is not unanimous, the pupil or the pupil's parent may appeal the Disciplinary Committee's decision to the full School Board. Such appeal shall be decided by the School Board within thirty days.

The written notice of a suspension for 11 to 45 school days includes notification of the length of the suspension and provides information concerning the availability of community based educational, alternative education or intervention programs. Such notice also states that the student is eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational,

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alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

A long-term suspension may extend beyond a 45-school-day period but shall not exceed 364 calendar days if (i) the offense is one described in Va. Code §§ 22.1-277.07 or 22.1-277.08 or involves serious bodily injury or (ii) a committee of the School Board or the division superintendent or superintendent's designee finds that aggravating circumstances exist, as defined by the Virginia Department of Education.

Nothing herein shall be construed to prohibit the School Board from permitting or requiring students suspended pursuant to this section to attend an alternative education program provided by the School Board for the term of such suspension.

V. EXPULSION

A. Generally

Pupils may be expelled from attendance at school after written notice to the pupil and the pupil's parent of the proposed action and the reasons therefor and of the right to a hearing before the School Board Disciplinary Committee.

The School Board Disciplinary Committee may confirm or disapprove the expulsion of a student. If the Committee's decision is not unanimous, the pupil or the pupil's parent may appeal the Committee's decision to the full School Board. Such appeal is decided by the School Board within 30 days.

The Committee confirms or disapproves of proposed expulsions regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and the pupil's parent includes notification of the length of the expulsion and provides information concerning the availability of community-based educational, training, and intervention programs. The notice states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such

readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during the expulsion is borne by the parent of the student.

Nothing in this section shall be construed to prohibit the School Board from permitting or requiring students expelled pursuant to this Policy to attend an alternative education program provided by the School Board for the term of such expulsion.

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If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of the expulsion, and of the conditions, if any, under which readmission may be granted.

B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

Firearms, Destructive Devices and Pneumatic Guns

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this Policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this Policy on school property or at a school-sponsored activity. A school administrator or the School Board may, however, determine, based on the facts

of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this section do not apply to students who possess such firearm or firearms or pneumatic guns as a part of the curriculum or

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other programs sponsored by the schools in the school division or any organization permitted to use school premises.

Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, ~~imitation controlled substance or marijuana~~ **or imitation controlled substance as those terms** are defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

C. Procedure for School Board Disciplinary Committee Hearing

The procedure for the Disciplinary Committee hearing is as follows:

- The Disciplinary Committee determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the Disciplinary Committee.
- The Disciplinary Committee may ask for opening statements from the principal or principal's representative and the student or student's parent(s) (or their representative) and, at the discretion of the Disciplinary Committee, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representative). The Disciplinary Committee may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided,

however, that the Disciplinary Committee may take the testimony of student witnesses outside the presence of the student, his the student's parent(s) and their representative if the Disciplinary Committee determines, in its discretion, that such action is necessary to protect the student witness.

- The parties shall produce such additional evidence as the Disciplinary Committee may deem necessary. The Disciplinary Committee is the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, are marked and made part of the record. • The Disciplinary Committee may, by majority vote, uphold, reject or alter the recommendations.
- The Disciplinary Committee transmits its decision, including the reasons therefor, to the student, the student's parent(s), the principal and superintendent.

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Following the decision of the Disciplinary Committee or upon expiration of the appeal period, the student's parent(s) or guardian is provided with written notice which includes the following:

- the terms or conditions of re-admission, if any;
- the duration of expulsion;
- a statement declaring whether the student is eligible to return to school or attend an appropriate alternative education program approved by the School Board or an adult education program offered by the division during or after the expulsion. If neither option applies, a statement that the student may petition the School Board for readmission after one calendar year from the date of his expulsion; and
- the availability of community-based educational, training and intervention programs.

The student or student's parent(s) may appeal the Disciplinary Committee's decision to the full School Board only if the decision of the Disciplinary Committee is not unanimous. Otherwise the decision of the Disciplinary Committee is final.

The appeal to the full School Board must be in writing and must be filed with the superintendent within seven (7) calendar days of the Committee's decision. Failure to file a written appeal within the specified time constitutes a waiver of the right to an appeal. The full School Board decides the appeal upon the record of the case within thirty (30) calendar days of the request for an appeal and communicates its decision in writing to the student and the student's parent, guardian or other person having control or charge of the student. Such written notice includes any changes in: (1) the duration of the suspension or expulsion; (2) the availability of community-based educational, training, and intervention programs; and/or (3) eligibility to return to school or attend an alternative education program. No statements, witnesses or evidence may be presented at this appeal unless specifically requested by the Chair of the Board.

VI. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

- charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol, or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G.;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or

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- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C of Va. Code § 22.1-277, to attend an alternative education program.

The School Board may require such student to attend such programs regardless of where the conduct occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used in this section, "charged" means that a petition or warrant has been filed or is pending against a pupil.

VII. REPORTING

A. Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the superintendent and to the principal or principal's designee on all incidents involving

- (1) the assault, or assault and battery, without bodily injury, of any person on a school

- bus, on school property or at a school-sponsored activity;
- (2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described by Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
 - (3) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property or at a school sponsored activity, including the theft or attempted theft of student prescription medications;
 - (4) any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
 - (5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
 - (6) any illegal conduct involving firebombs, explosive materials or devices or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school sponsored activity;

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- (7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
- (8) the arrest of any student for an incident occurring on a school bus, on school property or at a school-sponsored activity, including the charge therefor and
- (9) any illegal possession of weapons, alcohol, drugs or tobacco products.

- B. The superintendent and the principal or principal's designee may receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this Policy, and whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.
- C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this Policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.

In submitting reports of such incidents, principals and superintendents accurately indicate

any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection VII.B. of this Policy.

- D. The principal or principal's designee also notifies the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information concerning other students.
- E. Whenever any student commits any reportable incident as set forth in this subsection, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent's designee.
- F. Except as may otherwise be required by federal law, regulation, or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this Policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this Policy.

In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.A of this Policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this subsection and if the

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incident is so reported that the parents may contact local law enforcement for further information, if they so desire.

- G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to the student's regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the Charlottesville City Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the Charlottesville City School Board may accept or waive any or all of any conditions for readmission imposed upon

such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student is admitted to the regular school program until such student and the student's parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or principal's designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this Policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board Disciplinary Committee or superintendent or superintendent's designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this subsection to attend an alternative education program provided by the School Board for the term of such exclusion.

IX. DISCIPLINING STUDENTS WITH DISABILITIES

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Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

Adopted: June 19, 2008

Revised: June 18, 2009

Revised: June 16, 2011

Revised: June 25, 2013

Revised: June 26, 2014

Revised: June 30, 2015

Revised: June 27, 2016

Revised: June 19, 2018

Revised: August 6, 2020

Revised:

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.

8 VAC 20-560-10.

Cross Refs.: BCEA Disciplinary Committee
IGBH Alternative School Programs
JEC School Admission
JFC Student Conduct
JFCD Weapons in School
JGDA Disciplining Students with Disabilities
JGDB Discipline of Students with Disabilities for Infliction of Serious
Bodily Injury
KG Community Use of School Facilities

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DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities, who violate the student code of conduct, or engage in conduct for which they may be disciplined, will be disciplined in accordance with this policy. Additionally, the regular disciplinary procedures must be followed. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability as a result of discipline.

I. Long-Term Suspensions, Expulsions or Short-Term Suspensions Which Constitute a Pattern are Long Term Removals and Considered a Disciplinary Change in Placement

For the purpose of removing students with disabilities from their current educational placements, a disciplinary change in placement occurs when:

- (1) the removal is for more than 10 consecutive school days at a time; or
- (2) Pattern analysis: there is a series of removals during the school year, each of which is for 10 days or less and they cumulate to more than 10 days in a school year and constitute a pattern because of:
 - (a) the length of each removal,
 - (b) the proximity of the removals to each other,
 - (c) the total time the student is removed, and
 - (d) the child's behavior is substantially similar to the child's behavior in the series of removals for previous incidents in the school year.
 - (e) The pattern analysis determination is made and documented by the administration.

If the disciplinary action will result in a long term removal, the student's parents must be sent notice of the recommendation of discipline the same day as the decision is made for the disciplinary change in placement and must be provided with a copy of the procedural safeguards. The procedures outlined in Section IV must also be followed.

A parent may request a due process hearing to challenge the pattern analysis determination. For any disciplinary change in placement, a Manifestation Determination Review ("MDR") must be held and the Individualized Education Program (IEP) team must meet to determine the educational services to be provided during the long-term removal.

II. Short-Term Suspensions

A short-term suspension is a suspension of 10 consecutive days or less at a time.

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School authorities may remove a student with a disability from ~~his or her~~ **the student's** current educational setting for 10 school days cumulative in a school year to the extent that such removals would be applied to students without disabilities and for additional short-term suspensions during the school year provided no pattern exists. Short term suspensions which constitute a pattern will be handled through long term removal procedures.

No MDR or IEP meeting is required for a short term removal, although an IEP meeting may be held if needed. Educational services are provided for each day of removal after the first ten days of removal in a school year. Educational services should also be provided during the first ten days of removal if services are provided to a student without disabilities in the same circumstances.

III. Functional Behavior Assessments and Behavior Intervention Plans

If the MDR team members determine that a manifestation exists, the IEP team must:

- conduct a Functional Behavioral Assessment (FBA) and implement a Behavioral Intervention Plan (BIP), if no FBA was conducted previously; or,
- if the student already has an FBA and a BIP in place, review and modify the BIP, as necessary to address the behavior.

If a manifestation is found, the school division and the parent may still agree to a change in placement made through the IEP process. Without this agreement, the student must return to the placement from which the student was removed. Nothing in this section limits the authority of the school division for the first ten days of removal in a school year or for applicable forty-five school day removals.

If the MDR team members determine that there is no manifestation, then the IEP team should decide whether there is a need to conduct or review an FBA and BIP.

IV. Educational Services While Disciplined

For the first 10 days of removal in a school year, the School Board is not required to provide educational services to the student with a disability if services are not provided to students without disabilities who have been similarly removed.

After the first 10 days of removal in a school year, the School Board shall provide educational services to the student during the period of removal. The services must enable the student to:

- 1) continue to progress in the general curriculum, although in another setting, and
- 2) make progress toward meeting the goals set out in the student's IEP.

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The determination of the educational services is made by the IEP team if the discipline constitutes a change in placement. For a short term removal which is not a change in placement, the determination of the education services is made by school personnel in consultation with the student's special education teacher.

V. Manifestation Determination Review

When a disciplinary action is proposed that will result in a disciplinary change of placement, a MDR shall be conducted within 10 school days after the date on which the decision to take disciplinary action is made. This review shall be conducted by the Manifestation Team which consists of a local educational agency representative, the parent(s) and relevant members of the IEP team (as determined by the parent and the school division).

The Manifestation Team may determine that the behavior of the student was not a manifestation of such child's disability only if the Team:

- 1) considers all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information supplied by the parents; and
- 2) determines that:
 - (a) the conduct in question was not caused by, or did not have a direct and substantial relationship to, the student's disability; and
 - (b) the conduct in question was not the direct result of the school division's failure to implement the IEP.

VI. Disciplinary Action Following an MDR Determination that there is No Manifestation

If the behavior is not a manifestation of the student's disability, the disciplinary procedures will be applied in the same manner as applied to students without disabilities. The student must continue to receive the educational services necessary to enable the student to continue to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. In addition, the special education and disciplinary records of the student must be made available to the person who makes the final decision regarding the imposition of discipline.

A parent may request an expedited due process hearing if the parent disagrees with the determination that the behavior was not a manifestation of the student's disability or if the parent disagrees with any decision regarding the placement of the student while disciplined. During any appeal, the student will remain in the interim alternative education

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setting unless reversed by decision of the hearing officer; provided, however, the student may still serve the balance of any applicable forty-five school day removal. The placement may also be changed through the IEP process with the consent of the parent.

VII. Disciplinary Action Following MDR Determination that there is a Manifestation A student with a disability whose behavior is determined to be a manifestation of ~~his or her~~ the student's disability may not be disciplined except to the extent a removal is otherwise permitted by law. The student may be removed to a more restrictive placement by following change in placement procedures through the IEP process. The IEP team must conduct or review an FBA and/or BIP as provided in Section III.

VIII. Interim Alternative Educational Settings for Weapons, Drugs and Infliction of Serious Bodily Injury

Students with disabilities 1) who carry or possess a weapon to or at school, or on school premises, or to or at a school function under the jurisdiction of a state or local educational agency; 2) who knowingly possess or use illegal drugs or sell or solicit the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency; or 3) who inflict serious bodily injury upon another person at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency may be disciplined pursuant to Policies JFCD Weapons in School, JFCF Drugs in School or JGDB Discipline of Students with Disabilities for Infliction of Serious Bodily Injury and may be placed in an interim alternative educational setting for up to forty-five school days. These options are available even if a manifestation exists. If no manifestation is found, the student may be disciplined to the extent a student without disabilities would be disciplined.

Weapons, controlled substance and serious bodily injury have the meaning given under state regulations in 8 VAC 20-81-10.

Any interim alternative educational setting shall be selected, by the IEP team, so as to enable the student to continue to progress in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The student must also receive, as appropriate, an FBA, behavioral intervention services and modifications designed to address the behavior so it does not recur.

IX. Change of Placement by Hearing Officer

In addition to the other options for removal, a hearing officer through an expedited due process hearing requested by the school division, may order a change in the placement for a student with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the hearing officer determines that maintaining the current placement of such student is substantially likely to result in injury to the student or others. Additional forty-five (45)

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school day removals may be authorized by the hearing officer as appropriate.

X. Placement During Appeals

During the course of any appeals, the student's placement shall be in accordance with the provisions of state and federal law unless the parent and the school division agree otherwise. Students with disabilities are also entitled to the due process rights available to a non-disabled student who is subject to discipline. In addition, students with disabilities are entitled to the due process procedures available under the Individuals with Disabilities Education Act, as amended, and any state procedures.

Students Not Yet Identified as Disabled

Students for whom the parents assert there is a disability but who have not yet been identified as disabled may be subjected to the same measures applied to students without disabilities if the school division did not have knowledge of the disability before the behavior that precipitated the disciplinary action occurred. A school division will be found to have knowledge of the student's disability if, before the behavior that precipitated the disciplinary action occurred, one of the following occurred:

- (1) the parent expressed concern in writing to supervisory or administrative personnel of the school division, or to a teacher of the student, that the student is in need of special education and related services; or
- (2) the parent requested an evaluation of the student for special education eligibility ; or
- (3) the student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education or to other supervisory personnel of the school division that suggests the presence of a disability.

A school division would not be found to have knowledge of a student's disability if:

- (1) the parents refused to allow an evaluation of the student or refused special education services; or

(2) the student was evaluated and found not eligible for special education services.

If a request for an initial evaluation is made during the period a student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. If the student is found eligible as a child with a disability, taking into consideration information from the evaluation conducted by the school division and information provided by the parents, then the student must be provided special education and related services, although in another setting. Pending the results of the evaluation, the student shall remain in the

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educational placement determined by the school authorities which placement can include suspension or expulsion without services.

XI. Disciplining Certain Section 504 Students Who Violate Alcohol and Drug Policies

Students who are identified as disabled solely under Section 504 of the Rehabilitation Act, and who are currently engaging in the illegal use of drugs or alcohol, may be disciplined for violating the division's alcohol and drug policies to the same extent as non-disabled students. The student is not entitled to a due process hearing under special education procedures in this circumstance but does retain the protections afforded to regular education students.

XIII. Reporting of Crimes

Nothing in these procedures prevents the reporting of a crime to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities.

Adopted: June 19, 2008

Revised: June 16, 2011

Revised: June 27, 2016

Revised: June 20, 2017

Revised:

Legal Refs.: 20 U.S.C. § 1415(k).

29 U.S.C. § 705(20)(C)(iv)

34 C.F.R. 300.530-300.536.

Code of Virginia, 1950, as amended, §22.1-279.6

8 VAC 20-81-160.

Cross Ref.: JFC Student Code of Conduct

JFCD Weapons in School

JFCF Drugs in School

JGD/JGE Student Suspensions/Expulsions

JGDB Discipline of Students with Disabilities for Infliction of Serious
Bodily Injury

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File: JHCD

ADMINISTERING MEDICINES TO STUDENTS

Medications Prescribed for Individual Students

~~Employees of Charlottesville City School Board may give medication prescribed for individual students only pursuant to the written order of a physician, physician assistant, or nurse practitioner and with written permission from the student's parent or guardian. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.~~

Nonprescription Medications

~~Employees of Charlottesville City School Board may give nonprescription medication to students only with the written permission of the parent or guardian. Such permission shall include the name of the medication, the required dosage of the medication, and the time the medicine is to be given. Such medicine must be in the original container and delivered to the principal, school nurse, or school division designee by the parent or guardian of the student.~~

Self-Care and Self-Administration of Medication

Each enrolled student who is diagnosed with diabetes, with parental consent and written approval from the prescriber, is permitted to

- carry with him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and
- self-check his own blood glucose levels on school buses, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or reinsertion of the pump or any of its parts. Nothing in this policy requires any employee to assist with the insertion or reinsertion of the pump or any of its parts.

~~Students may be permitted to carry and self-administer other medications when the following conditions are met:~~

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- ~~Written parental permission for self-administration of specified non-prescription medication is on file with the school.~~
- ~~The non-prescription medication is in the original container and appropriately labeled with the manufacturer's directions.~~
- ~~The student's name is affixed to the container.~~
- ~~The student possesses only the amount of non-prescription medicine needed for one school day/activity.~~

~~Sharing, borrowing, distributing, manufacturing or selling any medication is prohibited. Permission to self-administer non-prescription medication may be revoked if the student violates this policy and the student may be subject to disciplinary action in accordance with the Standards of Student Conduct.~~

Self-Administration of Asthma Medications and Auto-Injectable Epinephrine

Students with a diagnosis of asthma or anaphylaxis, or both, are permitted to possess and self-administer inhaled asthma medications or auto-injectable epinephrine, or both, as the case may be, in accordance with this policy during the school day, at school-sponsored activities, or while on a school bus or other school property. A student may possess and self-administer asthma medication, or auto-injectable epinephrine, or both, when the following conditions are met:

- Written parental consent that the student may self-administer inhaled asthma medications or auto-injectable epinephrine, or both, is on file with the school.
- Written notice from the student's health care provider is on file with the school, indicating the identity of the student, stating the diagnosis of asthma or anaphylaxis, or both, and approving self-administration of inhaled asthma medications or auto injectable epinephrine, or both, that have been prescribed for the student; specifying the name and dosage of the medication, the frequency in which it is to be administered and the circumstances which may warrant its use; and attesting to the student's demonstrated ability to safely and effectively self-administer the medication.
- An individualized health care plan is prepared, including emergency procedures for any life-threatening conditions.
- There is a consultation with the student's parent before any limitations or restrictions are imposed on a student's possession and self-administration of inhaled asthma medications and auto-injectable epinephrine, and before the permission to possess and self-administer inhaled asthma medications and auto-injectable epinephrine at any point during the school year is revoked.

- Self-administration of inhaled asthma medications and auto-injectable epinephrine is consistent with the purposes of the Virginia School Health Guidelines and the

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Guidelines for Specialized Health Care Procedure Manual, which are jointly issued by the Virginia Department of Education and the Virginia Department of Health.

- Information regarding the health condition of the student may be disclosed to school board employees in accordance with state and federal law governing the disclosure of information contained in student scholastic records.

Permission granted to a student to possess and self-administer asthma medications or auto-injectable epinephrine, or both, will be effective for a period of 365 calendar days, and must be renewed annually. However, a student's right to possess and self-administer inhaled asthma medication or auto-injectable epinephrine, or both, may be limited or revoked after appropriate school personnel consult with the student's parents.

Epinephrine

Pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, School Board employee, employee of a local appropriating body or employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine may possess epinephrine and administer it to any student believed to be having an anaphylactic reaction.

Albuterol Inhalers

Albuterol inhalers and valved holding chambers are stocked in each school in the division to be administered by any school nurse, employee of the School Board, employee of a local appropriating body, or employee of a local health department who is authorized by the local health director and trained in the administration of albuterol inhalers and valved holding chambers for any student believed in good faith to be in need of such medication.

Naloxone

Charlottesville City Schools wishes to prevent opiate-related overdose deaths by making Naloxone available in its schools. Naloxone, commonly known by the brand-name Narcan®, is a medication that is administered by intra-nasal spray or injectable form to students believed to be experiencing, or about to experience, a life-threatening opioid overdose.

School nurses or other school board staff members may possess and administer naloxone or other

~~opioid antagonist used for overdose reversal, provided that they have completed the necessary training program.~~

Regulation

The superintendent shall develop a regulation for administration of medicines to students. The regulation shall include provisions for the handling, storage, monitoring, documentation and disposal of medication.

Adopted: July 16, 1998

Revised: April 15, 1999

Revised: April 15, 2004

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Revised: June 19, 2008

Revised: June 16, 2011

Revised: July 5, 2012

Revised: June 20, 2017

Revised: December 5, 2019

Revised:

Legal Refs.: Code of Virginia, as amended, §§ 22.1-78, 22.1-274, 22.1-274.01:1, 22.1-274.2, 54.1-2952.2, 54.1-2957.02, 54.1-3408.

~~Manual for Training Public School Employees in the Administration of Insulin and Glucagon (Virginia Department of Education Revised 2015).~~

Cross Refs.: EBBA Emergency First Aid, CPR and AED Certified Personnel
 ~~JFC-R Standards of Student Conduct~~
 JHCE Recommendation of Medication by School Personnel
 JO Student Records

STUDENT SERVICES

File JHH

SUICIDE PREVENTION

The Charlottesville City Schools Division is committed to protecting its students from the risk of suicide.

Duties of Teachers and Administrative Staff

Any licensed instructional or administrative staff member who has reason to believe that a student is at imminent risk of suicide, based on a direct communication from that student occurring within the staff member's scope of employment, promptly reports this matter to a qualified professional identified below, while keeping the student safe. The superintendent is responsible for developing procedures for such contact that are in accordance with the guidelines developed by the Board of Education in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Health as required by Va. Code §22.1-272.1.

Qualified Professional

The following licensed professionals are designated to assess suicide risks in students under this policy. 1. School psychologists assigned to schools, 2. Clinical psychologists assigned to schools. Qualified professionals may include one or more of the following: school counselor, school nurse (RN or LPN), school psychologist, and/or school social worker.

Duties of the Qualified Professional

The qualified professional shall promptly meet with the student to determine whether the student is at imminent risk of suicide.

Abuse and Neglect

If a student is determined to be at imminent risk of suicide and has indicated that the reason for this risk relates to parental abuse or neglect, the qualified professional is not to contact the parent/guardian. Instead, the qualified professional immediately notifies as soon as practicable, the local department of social services of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or the state Department of Social Services' toll-free child abuse and neglect hotline as required by School Board policy GAE Child Abuse and Neglect Reporting and VA. Code § 63.2-1509. The qualified professional needs to emphasize that immediate action is necessary to protect the student from harm.

Follow-up

After a student has been identified or determined to be at imminent risk of suicide, the qualified professional shall make appropriate follow-up contact to ascertain the current

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status of the student and facilitate any in-school support that may be required.

Required Documentation

The qualified professional documents the phone call to the parent/guardian by recording the: (a) time and date of the call; (b) parent/guardian response; (c) response plan agreed upon; and (d) anticipated follow-up.

Parental Review of Materials

Parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying or suicide prevention program. Prior to the use of any such material, the parent of a child participating in such a program is provided written notice of the parent's right to review the material and the right to excuse the child from participating in the part of such program utilizing such material.

Adopted: April 15, 2004
Reviewed: June 19, 2008
Reviewed: June 25, 20013
Revised: August 1, 2019
Revised:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-207.1:1, 22.1-272.1 and 63.2-1509.

Cross References: GAE Child Abuse and Neglect Reporting
EB School Crisis, Emergency Management and Medical
Emergency Response Plan
EBB Threat Assessment Teams

STUDENT SERVICES

File JL

FUNDRAISING AND SOLICITATION

All fundraising activities conducted for the benefit of ~~Charlottesville City~~ the school division must provide an educational benefit to students and must not interfere with the instructional program. All fundraising activities conducted by school-sponsored organizations or clubs must be approved in advance by the principal. Fundraising refers to the raising of non-appropriated funds by students, parents or others for the educational benefit of students and their schools.

Students may participate in fundraising activities provided such activities are approved in writing and carefully monitored and regulated by the school principal or principal's designee. Elementary school students may not participate in door-to-door solicitation. Students are not excused from class to participate in fundraising activities. No grade is affected by a student's participation, or lack of participation, in a fundraising activity.

Each principal develops and maintains a list of all approved fundraising activities and reports all activities to the superintendent pursuant to procedures issued by the superintendent.

The superintendent periodically furnishes the School Board with an up-to-date listing of all fundraising activities being conducted in the school division.

Adopted: July 16, 1998
Revised: June 19, 2008
Reviewed: June 25, 2013
Revised: June 26, 2014
Revised: August 1, 2019
Revised:

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

Cross References: IIBEA/GAB Acceptable Computer System Use
IICA Field Trips
JHCF Student Wellness
JHCH ~~School Meals and Snacks~~
KJ Advertising in the Schools
KGA Sales and Solicitations in Schools
KMA Relations with Parent Organizations
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

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STUDENT SERVICES

File: JOA

STUDENT TRANSCRIPTS

Generally

Secondary school transcripts contain information as specified by the Virginia Board of Education.

Test Record

The superintendent is responsible for establishing a procedure by which parents, guardians or others with legal control of a student can elect in writing to have the student's test record excluded from the student transcript. The test record includes at least the highest score earned, if applicable, on college performance-related standardized tests such as SAT and ACT, excluding Standards of Learning (SOL) test scores.

High School Credit-Bearing Courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student's not earn high school credit for the course. The superintendent specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Adopted: June 20, 2017

Revised:

Legal References.: Code of Virginia, 1950, as amended, §§22.1-16, 22.1-23.3, 22.1-253.13:3

8 VAC 20-131-90.

8 VAC 20-160-30.

Cross References: JO Student Records

Charlottesville City Schools

PERSONNEL

File: GEA/JOH

ACCEPTANCE OF ELECTRONIC SIGNATURES AND RECORDS

Policy Statement

Electronic or digital signatures can take many forms and can be created using many different types of technology. The authenticity and reliability of electronic signatures relating to transactions are dependent on the accompanying processes, supplemental records and the overall context in which records are created, transferred, and signed. The Charlottesville City School Board adopts the following policy with respect to the use of electronic records and signatures in connection with its communications with parents, guardians, or other persons having control over a child enrolled in this division.

Definitions

“Attribution” – An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

“Electronic Signature”- An electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

“Electronic Record” – any record created, generated, sent, communicated, received or stored by electronic means.

Applicability

This policy applies to parents, guardians, and other persons having control or charge of a child enrolled in the Charlottesville City Schools; and also to individuals affiliated with the division, whether paid or unpaid, including but not limited to teachers, administrators, staff, students, affiliates, and volunteers.

Electronic Records

Electronic records created or received by the division shall be appropriately attributed to the individual(s) responsible for their creation and/or authorization or approval. The division shall utilize available technology to implement reliable methods for generating and managing electronic records. Any electronic record filed with or issued by the division may be given full force and effect of a paper communication if the following conditions are satisfied:

1. The communication is an electronic filing or recording and the Charlottesville City School Board agrees to accept or send such communication electronically;

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and

File: GEA/JOH

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2. If a signature is required on the record or communication by any statute, rule or other applicable law or School Board policy, the electronic signature must conform to the requirements set forth in this policy governing the use of electronic signatures.

Electronic Signatures

An electronic signature may be used if the law requires a signature unless there is a specific statute, regulation, or policy that requires records to be signed in non- electronic form. The issuance and/or acceptance of an electronic signature by the School Board may be permitted in accordance with the provisions of this policy and all applicable state and federal law. If permitted, such electronic signature shall have the full force and effect of a manual signature only if the electronic signature satisfies all of the following requirements:

1. The electronic signature identifies the individual signing the document by **his/her the individual's** name and title;
2. The identity of the individual signing with an electronic signature is capable of being validated through the use of an audit trail;
3. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed;
4. The electronic signature conforms to all other provisions of this policy.

Acceptance, Use and Issuance of Electronic Records and Signatures

The School Board shall maintain an electronic recordkeeping system that can receive, store, and reproduce electronic records and signatures relating to communications and transactions in their original form. Such system should include security procedures whereby the School Board can (a) verify the attribution of a signature to a specific individual, (b) detect changes or errors in the information contained in a record submitted electronically, (c) protect and prevent access, alteration, manipulation or use by an unauthorized person, and (d) provide for nonrepudiation through strong and substantial evidence that will make it difficult for the signer to claim that the electronic representation is not valid.

The School Board shall ensure that all electronic records and signatures are capable of being accurately reproduced for later reference and retained until such time as all legally mandated retention requirements are satisfied.

The School Board shall maintain a log of the PIN/password or actual signature of any individual authorized by the School Board or designee to provide an electronic signature in

PERSONNEL

connection with School Board business.

File: GEA/JOH
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The School Board may receive and accept as original, electronic records and signatures so long as the communication, on its face, appears to be authentic.

Adopted: June 25, 2013
Revised: June 30, 2015
Revised:

Legal Reference: Code of Virginia, 1950, as amended, 22.1-79.3,
§59.1-479 et seq

Cross Reference: JO Student Records

COMMUNITY RELATIONS

File KBC

MEDIA RELATIONS

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities. The Community Relations Specialist will be responsible for coordinating the media relations efforts for the school division.

News and information concerning school events, personnel, students, and programs shall be ~~is~~ released to the press only with the approval of the principal or Superintendent and in accordance with state and federal laws regarding confidentiality. All other matters representing the official position of the Board, prepared for publication by any of its employees, shall be approved by the superintendent or a designee prior to release to the press.

Adopted: August 6, 1998
Revised: January 8, 2004
Revised: September 20, 2007
Reviewed: February 21, 2008
Revised: July 5, 2012
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-287, 22.1-287.1

Cross Refs.: JO Student Records
KA Goals for School-Community Relations
KB Public Information Program

COMMUNITY RELATIONS

File KC

COMMUNITY INVOLVEMENT IN DECISION MAKING

The School Board recognizes that the public has vast resources of training and experience useful to schools. The Board may involve citizens, both as individuals and as groups, to act in an advisory capacity.

Public opinion ~~shall be~~ given is carefully considered by the Board in light of division goals, current practices and financial feasibility. Decision making, however, rests solely with the Board.

Advice of the public ~~will be~~ is given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects all pupils. The final decision may depart from this advice when, in the judgment of the staff and the Board, such advice is not consistent with goals adopted by the Board, current educational practices, or within the reach of the financial resources available.

Adopted: August 6, 1998
Revised: January 8, 2004
Revised: February 21, 2008
Revised: July 5, 2012
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-86, ~~22.1-253.13:7. C.4~~ 22.1-253.13:7.

Cross Refs.: AF Comprehensive Plan
BCF Advisory Committees to the School Board
BDDH/KD Public Participation at Board Meetings
CA Administration Goals

FOUNDATIONS AND BASIC COMMITMENTS

File BDDH/KD

PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Items for Discussion at School Board Meetings

Members of the community are invited and encouraged to attend meetings of the Charlottesville City School Board to observe its deliberations. Any member of the community may address the Board on matters related to the Charlottesville City Public Schools at any regular meeting as ~~provided in the accompanying regulation~~ follows:

1. The Clerk or Deputy Clerk will place a sign-up sheet at the podium prior to each regular meeting of the School Board.
2. Any member of the public wishing to speak will sign-in on the sheet.
3. At the specified time on the agenda for "Comments from the Community", the Board Chairperson will call each person to the podium for comments.
4. The Chairperson will describe the procedure and the amount of time each member will have for comments.
5. Generally, each community member will have three (3) minutes for comments.
6. If the community member is still speaking at the end of the allotted time, the Chairperson will explain that the time is over and that the comment period will end.

Persons wishing to address the School Board should contact the Superintendent, the School Board chair, or their designee for placement on the agenda.

Public Comment at School Board Meetings

The chair is responsible for the orderly conduct of the meeting and ~~shall rule~~ rules on such matters as the appropriateness of the subject being presented and suitability of the time for such presentation. At the conclusion of ~~his~~ the speaker's remarks, if any member of the School Board desires further information, the member ~~will address~~ addresses the speaker only with the permission of the chair. No one ~~will be~~ is allowed to make additional comments until everyone who wishes to speak has made their initial presentation.

~~A reasonable period of time, as determined by the School Board, will be allocated at each regular meeting for community members to present matters of concern.~~

Adopted: August 6, 1998
Revised: December 20, 2007
Reviewed: June 25, 2013
Revised: June 26, 2014
Revised: June 27, 2016
Revised:

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File BBA
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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7

Cross Refs.: BDDE Rules of Order

COMMUNITY RELATIONS

File KGB

PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors must register at the school office on arrival.

No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

In accordance with Policy KGC Tobacco Products and Nicotine Vapor Products, use of tobacco products and nicotine vapor products is not permitted in schools schools, at school-sponsored events, or in school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, ~~shall be~~ is reported by the principal to the local law enforcement authorities.

Any person who willfully and maliciously damages, destroys or defaces any school district building, or damages or removes any school property from a school building, ~~will be~~ is required to compensate the school division and may be prosecuted.

Any person who willfully interrupts or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be ejected and/or Prosecuted.

Adopted: August 6, 1998
Revised: January 8, 2004
Revised: February 21, 2008
Revised: June 19, 2008
Revised: June 25, 2008
Reviewed: June 25, 2013
Revised: June 26, 2014
Revised: August 1, 2019
Revised:

COMMUNITY RELATIONS

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Legal Refs.: 20 U.S.C. §§ 6083, ~~7183~~ 7973.

Code of Virginia, 1950, as amended, §§ 4.1-309, 18.2-415, 18.2-128,
18.2-138, 22.1-78, 22.1-79.5.

Cross Refs.:	ECAB	Vandalism
	GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
	KK	School Visitors
	KN	Sex Offender <u>and Crimes Against Minors</u>
		Registry <u>Information</u>
	KNA	Violent Sex Offenders on School Property

©~~5/19~~ 2/21VSBA

COMMUNITY RELATIONS

File KK

SCHOOL VISITORS

The Charlottesville City School Board welcomes visits by citizens of the city to their public schools. Visitors are expected to act in a manner consistent with School Board policies and regulations for student conduct. In order to protect the students, staff and property, visitors during the school day first shall report to the principal's office for authorization to be in the building or on the grounds. **Potential visitors who are registered sex offenders, should consult Policy KN Sex Offender and Crimes Against Minors Registry Information before arriving at school property or school sponsored activities.** The School Board authorizes the Superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on School Board property or at School Board sponsored activities. The Superintendent shall formulate and post in the schools such regulations as are necessary to protect students and property from unauthorized or disruptive visitors. Law enforcement officers may be called upon to enforce this policy in cases of uncooperative violators.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (1) any direction to vacate the property by an authorized individual or (2) any posted notice which contains such information, posted at a place where it is reasonably may be seen may be prosecuted.

Visitors planning to use grounds of Charlottesville City Schools for recreational purposes during school hours are expected to register in the office during the first visit. Visitors will be given a Guest Pass to be worn during all subsequent visits. School personnel will monitor the grounds and may ask visitors not wearing Guest Passes to register to obtain a Guest Pass.

Adopted: August 6, 1998
Revised: January 8, 2004
Reviewed: February 21, 2008
Revised: June 19, 2008
Revised: May 2, 2013
Reviewed: June 19, 2018
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-128; 18.2-415, 22.1-4.3, 22.1-79.

COMMUNITY RELATIONS

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Cross Refs.:	DJG	Vendor Relations
	ECA	Inventory and Reporting of Loss or Damage
	<u>GAB/IBEA</u>	<u>Acceptable Computer System Use</u>
	IGBC	Parental Involvement
	KGB	Public Conduct on School Property
	KN	Sex Offender <u>and Crimes Against Minors</u> Registry <u>Notification Information</u>
	KNA	Violent Sex Offenders on School Property
	KP	Parental Rights and Responsibilities

COMMUNITY RELATIONS

File KKA

SERVICE ANIMALS IN PUBLIC SCHOOLS

A. Service Animals

An individual with a disability is permitted to be accompanied by ~~his/her~~ the individual's service animal

on school property when required by law, subject to the conditions of this policy.

A "service animal" means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (See, however, Section D regarding miniature horses.) The work or tasks performed by a service animal must be directly related to the individual's disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person's disability and may not require documentary proof of certification or licensing as a service animal.

B. Requirements That Must be Satisfied Before a Service Animal Will be Allowed on School Property

Vaccination: The service animal must be immunized against diseases common to that type of animal.

Health: The service animal must be in good health.

Control: A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack or vest identifying the dog as a trained service dog, a leash (blaze orange in color) for hearing dogs, a harness for guide dogs, or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control.

C. Service Dogs in Training

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons

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conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

Use of Harnesses, Vests, etc. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

All requirements of this policy which apply to service animals, such as annual written requests, and supervision, care and damages, also apply to dogs in training.

D. Miniature Horses

The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division ~~must consider~~ considers the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall

also apply to miniature horses.

E. Extra Charges

The owner or handler of a service animal ~~cannot be~~ is not required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

F. Supervision and Care of Service Animals

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

G. Damages to School Property and Injuries

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

H. Removal of Service Animals From School Property

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

I. Denial of Access and Grievance

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division's Section 504 Coordinator.

Adopted: June 18, 2009
Revised: June 16, 2011
Revised: January 8, 2015
Revised: August 6, 2020
Revised:

COMMUNITY RELATIONS

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Legal Refs.: 28 C.F.R. 35.104, 35.136

Code of Virginia, 1950, as amended, § 51.5-44.

Cross Refs.: DJG Vendor Relations
GB Equal Employment Opportunity/Nondiscrimination
JB Equal Educational Opportunities/Nondiscrimination
JBA Section 504 Nondiscrimination Policy and Grievance
Procedures
JFHA/GBA Prohibition Against Harassment and Retaliation
KK School Visitors
KGB Public Conduct on School Property
KN Sex Offender ~~Registry Notification and Crimes~~
Against Minors Registry Information
KNA ~~Violent Sex Offenders on School Property~~

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COMMUNITY RELATIONS

File KN

SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY NOTIFICATION INFORMATION

~~Charlottesville City Schools recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school or are at school-related activities, each school in the Charlottesville City school division shall request electronic notification of the registration or reregistration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police).~~

Generally

Each school in the division registers with the Department of State Police to receive electronic notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry (the Registry) within the division.

The superintendent establishes procedures regarding the use and distribution of information received from the Registry. Information received from the Registry may not be used to intimidate or harass.

Annual Notification

~~At the beginning of each school year, the school division shall notify parents and employees of this policy. The school board will also annually notify~~ The superintendent notifies the parent of each student enrolled in the school division of the availability of information in the ~~Sex Offender and Crimes Against Minors Registry~~ and the location of the ~~Internet~~ website (<http://sexoffender.vsp.state.va.us/cool-ICE/>).

Dissemination of Sex Offender Registry Information

~~Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property including but not limited to:~~

- ~~• school bus drivers~~
- ~~• employees responsible for visitor registration~~
- ~~• employees responsible for bus duty~~
- ~~• security staff~~
- ~~• coaches~~
- ~~• playground supervisors, and~~
- ~~• maintenance personnel.~~

~~When registry information is disseminated, it shall include a notice that such information should~~

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~~not be shared with others and may only be used for the purposes discussed below. Employees who share registry information with others may be disciplined.~~

~~The Charlottesville City school division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not disseminate registry information to parents.~~

~~Use of Sex Offender Registry Information~~

~~Registry Information shall only be used for the purposes of the administration of lawenforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.~~

- ~~1. Registered Sex Offender Sighted. If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the Superintendent or designee shall be notified immediately. The Superintendent or his designee may, in his or her discretion, notify local law enforcement.~~
- ~~2. School Volunteers and Student Teachers. Each staff member shall submit to the Principal the name and address of each volunteer the staff member is or may be using as soon as the person is identified. The Principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the Principal shall notify the Superintendent, who shall confirm the match. If the match is confirmed, the Superintendent shall inform the individual, in writing, that he or she may not be on school property without permission of the Superintendent. The notice shall provide the reason with reference to this policy. The Superintendent shall also inform the Principal and employees that the individual may not be used as a volunteer.~~
- ~~3. Contractors' Employees. The Superintendent shall include the following language in all Division contracts that may involve an employee of the contractor having any contact with a student: The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.~~
- ~~4. School Division Employees. Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the Superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the School Board. The School Board will take the appropriate action to comply with state law which may include termination of employment.~~
- ~~5. Applicants for Employment. Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a~~

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~~registered sex offender, he or she shall not be hired by the division.~~

~~6. Parents of Students:~~

When the school division learns that a ~~parent~~ parent, other than a parent who has been convicted of a Tier III offense as defined by Va.Code§ 9.1-902, of an enrolled student is is a registered sex offender, **required to register with the Registry** the parent ~~will be~~ is notified in writing that ~~he or she~~ he or she is barred from being present on school property or at school-sponsored events, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity without the express written approval of the student's principal, unless such parent is otherwise prohibited by law or court order from being present on school property. Such approval must be obtained in advance of the proposed visit. When such a parent, ~~who is a registered sex offender,~~ is permitted at school or at school functions, ~~he or she~~ the parent will be **is** monitored to ensure that he or she does not come into contact with any children other than his or her **the parent's** own children.

Principals consider requests to be present at school or at school sponsored activities from all persons who are required to register with the Registry but have not been convicted of a Tier III offense as defined in Va. Code § 9.1-902 in accordance with procedures established by the superintendent.

No adult who has been convicted of a Tier III offense, as defined in Va.Code§ 9.1-902, may enter or be present during school hours, and during school-related or school-sponsored activities on any property the person knows or has reason to know is a school or child day center property, school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school sponsored activity unless

- the person is a lawfully registered and qualified voter and is coming upon such property solely to vote;
- the person is a student enrolled at the school; or
- the person has obtained a cord order pursuant to Va. Code 18.2-370.5C allowing the person to enter and be present upon such property, has obtained the permission of the School Board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the School Board's terms and conditions and those of the court order.

Requests for Registry Information

~~Anyone requesting registry information from the school division shall be referred to the State Police.~~

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Adopted: August 6, 1998
Revised: January 8, 2004
Revised: September 20, 2007
Reviewed: February 21, 2008
Revised: June 19, 2008
Revised: June 16, 2011
Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3,
9.1-902, 9.1-914, 9.1- 918 and 18.2-370.5, ~~19.2-390.1~~.

Commonwealth v. Doe 278 VA 223 (Va. 2009)

Cross Refs.: BBA School Board Powers and Duties
 DJF Purchasing Procedures
 KK School Visitors
 ~~KNA~~ ~~Violent Sex Offenders on School Property~~
 KNAJ Relations with Law Enforcement Authorities

© ~~5/11~~ 2/21 VSBA

COMMUNITY RELATIONS

File KNAJ

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

Law-enforcement authorities, including school resource officers, occasionally talk with students at school about a variety of topics, which may include illegal activity in the community or at school. Students suspected of involvement in a crime in the community should be interviewed in the presence of a parent or guardian outside of school time whenever feasible. If a law enforcement agent feels that it is necessary to conduct an interrogation at school with a student who is suspected of involvement in a crime, every effort should be made to inform the student's parents and delay the interrogation until the parents arrive. If the parents cannot be contacted and the interrogation cannot be delayed, the principal, or designee, shall remain present during the interrogation.

Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender Registry Notification and Crimes Against Minors Registry Information.

Report to Law Enforcement Officials

The Superintendent or his designee shall be notified as soon as possible of any report to law

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enforcement authorities. The superintendent, principal or their designees shall promptly report to local law-enforcement officials all incidents occurring on school property involving:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or
3. any threats against school personnel while on a school bus, on school property or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1 or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity; or
6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity.

If the local law-enforcement agency employs school resource officers, the School Board and the agency have a memorandum of understanding that sets forth the powers and duties of the school resource officers. Any memorandum of understanding will address the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously

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published on the division website.

Adopted: August 6, 1998
Revised: January 8, 2004
Revised: February 21, 2008
Revised: June 16, 2011
Revised: June 30, 2015
Revised: June 19, 2018
Revised: August 1, 2019
Revised: August 6, 2020
Revised: TBD

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293,
9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1,
22.1-280.2:3, 22.1-293.

8 VAC 20-750-70.

Cross Refs.: JFC Student Conduct
JGD/JGE Student Suspension/Expulsion
CLA Reporting Acts of Violence and Substance Abuse
KN Sex Offender ~~Registry Information and Crimes~~
Against Minors Registry Information

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File KP

PARENTAL RIGHTS AND RESPONSIBILITIES

A. ~~When parents of a student are estranged, separated, or divorced, building personnel will~~ All staff members respect the parental rights of both parents. Unless there is a law, legally binding document, or court order to the contrary, both parents have the right to:

1. ~~View~~ inspect and review the child's school records, in accordance with Policy JO Student Records;
2. ~~Receive school progress reports, the school calendar, and notices of major school events;~~
3. Visit the school in accordance with Policies KK School Visitors and KN Sex Offender and Crimes against Minors Registry Information Notification;
4. ~~Participate in parent teacher conferences; in the case of the noncustodial parent, after a timely request is made;~~
5. Receive all notifications ~~in accordance with the Individuals with Disabilities Education Act;~~ required by law, and
6. ~~Receive notice of the student's extended absence, as defined in and pursuant to Policy JED Student Absences/Excuses/Dismissals, if both parents have joint physical custody.~~

B. Parent Responsibilities

The custodial parent has the responsibility to:

1. Keep the school office informed of his the parent's address and ~~how he or she~~ the parent may be contacted at all times.
2. Provide the current address and phone number of the noncustodial parent, at registration unless such address is unknown and the custodial parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent on the Charlottesville City Schools registration form.
3. Provide a copy of any legal document which restricts the educational and/or contact rights of the noncustodial parent.

The noncustodial parent has the responsibility to keep the school office ~~apprised~~ informed of changes in his or her current the parent's phone number and address. ~~Further, the noncustodial parent may make timely requests to participate in parent teacher conferences.~~ At the request of a noncustodial parent, such parent will be included as an emergency contact for the student's activities unless a court order has been issued to the contrary.

Adopted: January 8, 2004
Revised: February 21, 2008

COMMUNITY RELATIONS

File KKA

Page 2

Revised: July 5, 2012

Revised:

Legal References: 20 U.S.. §1232(g)

34 C.F.R. § 99.4

Code of Virginia, 1950, as amended, §§, 22.1-4.3, 22.1-78,
22.1-287.

Cross References: ~~JED Student Absences/Excuses~~

JO Student Records

KK School Visitors

KN Sex Offender and Crimes Against Minors Registry Notification

Information

~~KNA Violent Sex Offenders on School Property~~

SCHOOL COMMUNITY RELATIONS

File LB

RELATIONS WITH PRIVATE SCHOOLS

The School Board and Superintendent shall work cooperatively with private schools that serve the community and students in matters of common interest, unless expressly prohibited by state statutes or local school board policy. The Superintendent is authorized to consult with officials of these schools to determine areas of mutual concern and interest and to make recommendations to the Board. ~~The School Board will not enter into agreement with any nonpublic schools with the division to provide student transportation to and from such schools.~~

Adopted: June 21, 2007

Revised: June 19, 2008

Revised: July 25, 2013

Revised:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.178; 22.1-176.1

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EDUCATION AGENCY RELATIONS

File LEA

STUDENT TEACHERS

The Charlottesville City School Board cooperates with accredited colleges and universities to provide opportunities for student teaching in accordance with the following guidelines. The conditions and policies that shall pertain in governing the administration of the student teaching program in the Charlottesville City Schools are as follows:

1. The first responsibility of the supervising teacher is the education of the students for whom he is responsible.
2. Student teachers will be under the administrative direction of the principal of the school to which they are assigned.
3. Teachers who serve as supervising teachers shall have a minimum of at least two years of teaching experience, one of these in the school to which the student teacher is assigned.
4. All teachers who serve as supervising teachers shall be recommended by the principal of the school to the superintendent for approval.
5. A class will have no more than one student teacher during the regular school year.
6. No supervising teacher will have a student teacher assigned to him/her for more than two quarters during the regular school year.
7. A principal may reject or terminate any student teacher who has a negative effect on instruction or welfare of students.
8. Information concerning students may be available to student teachers at the discretion of the principal. Student teachers will respect the confidential nature of information provided.
9. Student teachers will follow all the policies and regulations of the Charlottesville City School Board that apply to teachers.

Adopted: August 6, 1998

Revised: June 19, 2008

Revised: July 5, 2012

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

Cross Refs.: JO Student Records
KN Sex Offender Registry Information