

REVISED POLICIES FOR REVIEW
(May 2025 VSBA Policy Updates - 2025-2026)
Information -June 5, 2025 / Action - August 7, 2025

Current CCS Policy (on CCS Website)	VSBA Revised Policies for Review (Redline Copy)	Policy Title	Explanation of Revisions	Executive Leadership Team Member Responsible	Date of Last Approval
WHAT THE UPDATE CONTAINS . . . The most recent revisions to the sample policies in the VSBA Policy Manual have been posted on the VSBA website (vsba.org). The revisions are provided in both final and strike-through (also called redline or RL) format. The strike-through format shows each change made to the policies (the changes are designated by underlining new language and striking through deleted language).					
HOW TO USE THE UPDATE . . . A brief explanation is given for each revision in this document. Each revision should be examined and then the school board should decide whether to adopt the revised policies. Some policies require local input before adoption.					
DJF	DJF-RL	Purchasing Procedures	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-296.1 by HB1924 and addition of Va. Code § 2.2-4311.3 by HB2150 and SB913. Cross References updated.	Hoover, Lewis	6/27/2023
EBB	EBB-RL	Threat Assessment Teams	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-79.4 by HB2679. Cross References updated.	Powell, Rasnake	6/27/2023
EBBA	EBBA-RL	Emergency First Aid, CPR and AED Certified Personnel	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-279.8 by HB2051 and HB2640/SB1380 and additions of Va. Code § 22.1-271.9 by HB1695/SB817 and §§ 22.1-206.01 and 22.1-274.4:1 by HB732/SB726 (2024). Cross References updated	Powell, Rasnake	8/1/2024
*New	EBBC-New-RL	Opioid Antagonists	Policy created to reflect amendments of Va. Code § 54.1-3408 and additions of Va. Code §§ 22.1-206.01 and 22.1-274.4:1 by HB732/SB726 (2024). Please note: This Policy includes language directing the superintendent to establish regulations related to opioid antagonist – safe storage and supply replacement.	Rasnake	*New
EBCB	EBCB - RL	Safety Drills	Policy and legal references updated to reflect the addition of Va. Code § 22.1-271.9 by HB1695/SB817 and § 22.1-274.7 by HB1700	Powell	8/1/2024
FEA	FEA - RL	Educational Facilities Specifications	Added Legal References to new Va. Code §§ 22.1-414.3, 22.1-414.4, and 22.1-414.5 added by HB2618/SB1413.	Powell	8/1/2024
GAB/IBEA	GAB/IBEA-RL	Acceptable Computer System Use	Updated Legal and Cross References.	Cuomo	6/27/2023
GBEB	GBEB-RL	Staff Weapons in Schools	Staff Weapons in School Policy and Cross References updated. Footnote added.	Powell	6/6/2020
GCB	GCB-RL	Professional Staff Contracts	Policy updated to remove duplication with policy GCE. Cross References updated to reflect previous title change of sample Policy GCE	Lewis	4/13/2023
GCDA	GCDA-RL	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect	Policy updated to reflect amendments of Va. Code § 22.1-296.1 by HB1924.	Lewis	6/27/2023
GCE	GCE-RL	Substitute Teachers	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-302 by HB2201/SB1230.	Lewis	6/27/2023
GCG	GCG-RL	Professional Staff Probationary Term and Continuing Contract	Policy and Cross References updated. Footnote added.	Lewis	8/6/2020
GCL	GCL-RL	Professional Staff Development	Policy updated to reflect amendments of Va. Code § 22.1-298.8 by HB1936 and § 22.1-253.13:5 by SB1293 and HB1089/SB220 (2024).	Otey, Rasnake, Lewis	8/1/2024
GCPD	GCPD-RL	Professional Staff Discipline	Policy and Legal References updated to reflect addition of Va. Code § 22.1-274.4:1 by HB732/SB726 (2024). Cross References updated	Lewis, Rasnake	8/1/2024

IGAG	IGAG-RL	Teaching About Drugs, Alcohol and Tobacco	Policy and Legal References updated to reflect addition of Va. Code § 22.1-206.01 by HB732/SB726 (2024). Cross References updated.	Otey, Rasnake	8/1/2024
IGAJ	IGAJ-RL	Driver Education	Policy and footnote updated to reflect amendments of Va. Code § 22.1-205 by HB2213. *Optional policy if a division does not offer such a program	Otey	8/4/2022
IGBA	IGBA-RL	Programs for Students with Disabilities	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-217.2 by HB1805 and additions of Va. Code § 22.1-215.3 by HB1892, § 22.1-217.4 by HB2219/SB1034, and § 22.1-274.7 by HB1806. Cross References updated.	Rasnake, Otey	8/1/2024
IGBGA	IGBGA-RL	Online Courses and Virtual School Programs	Legal References updated to reflect addition of Va. Code § 22.1-23.6 by HB2640/SB1380. Footnote added.	Otey	8/1/2024
*New	IGBJ-NEW-RL	Advanced or Accelerated Mathematics	Advanced or Accelerated Mathematics Policy created to reflect the addition of Va. Code § 22.1-207.9 by HB2686.	Otey	*New
IIBEA/GAB	IIBEA/GAB-RL	Acceptable Computer System Use	Updated Legal and Cross References.	Cuomo	6/27/2023
JC	JC-RL	School Attendance Area	Policy and footnote updated to reflect amendments to Va. Code § 22.1-7.2 by HB1881. Cross References updated.	Powell, Otey	5/1/2025
JCJ	JCJ-RL	Classroom Assignments for Twins	Policy updated for clarity.	Rasnake, Otey	8/6/2020
JEG	JEG-RL	Exclusions and Exemptions from School Attendance	Policy updated for clarity.	Rasnake, Swift, Otey	6/17/2021
JFC	JFC-RL	Student Conduct	Policy updated for clarity. Legal References and Cross References updated. Footnote added.	Otey	9/7/2023
JFCD	JFCD-RL	Weapons in Schools	Policy updated. Cross References updated. Footnote added.	Powell, Otey	8/6/2020
JFCI	JFCI-RL	Substance Abuse – Student Assistance Program	Policy updated for clarity. Cross References updated.	Rasnake, Otey	8/6/2020
*New	JFCM-NEW-RL	Student Cell Phone and Smart Device Possession and Use	Policy created to reflect amendments of Va. Code § 22.1-277 and addition of Va. Code § 22.79.3:1 by HB1961/SB738. Please note: This Policy requires the School Board to adopt restrictions for cell phone use in each level of school: elementary, middle, and high school.	Otey, Cuomo	*New
JHC	JHC-RL	Student Health Services	Policy and Legal References updated to reflect amendments of Va. Code §§ 22.1-272.2 and 22.1-272.3 by HB1945/SB1037. Footnote added. Cross References updated.	Rasnake	6/17/2021
JHCD	JHCD-RL	Administering Medicines to Students	Policy and Legal References updated to reflect amendments of Va. Code §§ 8.01-225, 22.1-274.2, 22.1-274.6, and 54.1-3408 by HB2104/SB1036 and Va. Code §§ 22.1-206.01 and 22.1-274.4:1 by HB732/SB726 (2024). Footnotes added. Cross References updated.	Rasnake	6/27/2023
JO	JO-RL	Student Records	Policy and Legal References updated to reflect amendments of Va. Code § 22.1-4.1 by HB2013 and the addition of Va. Code § 22.1-288.3 by HB2226.	Rasnake, Otey	9/5/2024
JRCA	JRCA-RL	School Service Providers' Use of Student Personal Information	Policy updated to reflect amendments of Va. Code § 22.1-289.01 by SB1486. Cross References updated.	Cuomo, Otey	
KBA	KBA-RL	Requests for Public Records	Policy updated to reflect amendments of Va. Code § 2.2-3704.2 by HB2152.	Cheuk, Otey	
*New	KGD-NEW-RL	Notification of School-Connected Student Overdose	Policy created to reflect amendments of Va. Code § 22.1-272.1:1 by HB2774/SB1240.	Rasnake, Otey, Powell	New
KQ	KQ-RL	Commercial, Promotional and Corporate Sponsorships and Partnerships	Policy revised to reflect amendments of Va. Code § 22.1-296.1 by HB1924. Footnote added.	Otey, D.Johnson, Cheuk	6/27/2023
LBD	LBD-RL	Home Instruction	Policy updated for clarity	Otey, Rasnake	8/6/2020

LC	LC-RL	Charter Schools	Policy updated for clarity and consistency. Footnotes updated and added. Please note: This Policy requires the School Board to include procedures for any charter school application process	Otey, Powell	8/1/2024
LC-E	LC-E-RL	[School Division] Charter School Application Addendum	Updated for clarity and consistency. Footnotes updated and added.	Otey, Powell,	
Policies Reviewed but not Revised (Policy links direct to CCS Policy Manual)					
Policies Reviewed but not Revised	Google Doc version for update/editing (for internal use)	Policy Title	Comments	Executive Leadership Team Member Responsible	Date last approved
BDDE	BDDE	Rules of Order		Gurley, Team	8/6/2020
GAD	GAD	Access to Employee Social Media Accounts		Cuomo, Lewis	8/6/2020
GB-F	GB-F	Report of Discrimination		Lewis, Swift	
IEB	IEB	National Motto		Otey, Team	

PURCHASING PROCEDURES

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

Certification Regarding Certain Offenses

As a condition of awarding 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, the School Board requires the contractor to provide certification of whether any individual who will provide 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; any offense involving the sexual molestation, physical or sexual abuse or rape of a child, or the solicitation of any such offense; 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, or the solicitation of any such offense.

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, or the solicitation of any such offense, 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 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.

Contracts for Information Technology Goods and Services – State Law Contract Terms

As used in this policy, "information technology goods and services" means communications, telecommunications, automated data processing, applications, databases, data networks, management information systems, and other related goods and services.

The terms or provisions in any contract with the school board for the acquisition of information technology goods or services should not conflict with Virginia law. If such contract has terms and provisions that conflict with Virginia law, those terms and provisions shall not be valid or enforceable to the extent of such conflict; however, the contract otherwise remains enforceable.

Choice of Law. Any term or provision in a contract for the acquisition of information technology goods or services shall be void and deemed to provide for the application of the law of the Commonwealth of Virginia, without regard to such contract's choice of law provisions, and to provide for jurisdiction in the courts of the Commonwealth, if such contract term or provision:

- makes the public contract subject to, governed by, or interpreted under the laws of another state or country or
- requires or permits any litigation or other dispute resolution proceeding arising from the public contract to be conducted in another state or country.

FISCAL MANAGEMENT

File: DJF-RL
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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: June 17, 2021
Adopted: June 27, 2023
Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4311, 2.2-4311.1, 22.1-296.1.

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

THREAT ASSESSMENT TEAMS

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

Each team includes persons with expertise in counseling, instruction, school administration and law enforcement, and in schools in which a school resource officer is employed, at least one such school resource officer. New threat assessment team members complete an initial threat assessment training and all threat assessment team members complete refresher threat assessment training every three years. Each team

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

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

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

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

Each threat assessment team collects and reports to the Virginia Center for School and Campus Safety (the Center) quantitative data on its activities using the case management tool developed by the Center.

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

Adopted: June 25, 2013
Revised: June 27, 2016
Revised: August 1, 2019
Revised: August 4, 2022
Adopted: June 27, 2023
Adopted:

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

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

EMERGENCY FIRST AID, CPR AND AED CERTIFIED PERSONNEL

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

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

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

February 19, 2004

Revised: May 15, 2008

Revised: June 18, 2009

Revised: July 5, 2012

Revised: June 25, 2013

Reviewed: August 1, 2019

Revised: August 1, 2024

Adopted:

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

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

JHCD Administering Medicines to Students

OPIOID ANTAGONISTS

Administration

A dosage of opioid antagonist may be administered to any student, faculty, or staff member who is believed to be experiencing or about to experience a life-threatening opioid overdose, by a school nurse, local health department employees that are assigned to a public school by agreement, school board employees who have completed training and are certified in the administration of an opioid antagonist for overdose reversal by a program administered or authorized by the Department of Health, other school board employees or individuals contracted by the School Board to provide school health services for overdose reversal.

Maintenance, Inspection, and Record Keeping

Each school maintains a properly and safely stored supply of opioid antagonists in an amount equivalent to at least two unexpired doses, inspects its dosage at least annually, and maintains a record of (i) the date of inspection, (ii) expiration date on each dose, and (iii) the date of administration of a dose, in the event that a dose of such opioid antagonist is administered for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.

Regulations

The superintendent establishes regulations for proper and safe storage of such opioid antagonist supply in each such school and establishes regulations for each such school to request a replacement dose of an opioid antagonist any time such dose has expired, is administered for overdose reversal, or is otherwise rendered unusable and regulations ensuring each such request is timely fulfilled.

Personnel Training

The Charlottesville City School Board partners with a program administered or approved by the Department of Health to provide training in opioid antagonist administration for the purpose of organizing and providing the training and certification required for an employee to administer an opioid antagonist.

At least one employee in every school in the division (i) is authorized by a prescriber, has been trained, and is certified in the administration of an opioid antagonist through a program administered or authorized by the Department of Health, and (ii) has the means to access at all times during regular school hours any opioid antagonist supply that is stored in a locked or otherwise generally inaccessible container or area within the school.

Adopted:

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Legal Ref: Code of Virginia, §§ 22.1-274.4:1, 54.1-3408.

<u>Cross Refs: EB</u>	<u>School Crisis, Emergency Management, and Medical</u>
	<u>Emergency Response Plan</u>
<u>EBBA</u>	<u>Emergency First Aid, CPR and AED Certified</u>
	<u>Personnel</u>
<u>GBE</u>	<u>Staff Health</u>
<u>GBEA</u>	<u>Unlawful Manufacture, Distribution, Dispensing,</u>
	<u>Possession or Use of a Controlled Substance</u>
<u>GCPD</u>	<u>Professional Staff Discipline</u>
<u>IGAG</u>	<u>Teaching About Drugs, Alcohol and Tobacco</u>
<u>JHCD</u>	<u>Administering Medicines to Students</u>
<u>KGD</u>	<u>Notification of School-Connected Student Overdose</u>

SAFETY DRILLS

Fire Drills

Each school holds fire drills during school session in accordance with the requirements of the Statewide Fire Prevention Code (Virginia Code § 27-94, et seq.). Evacuation routes for students are posted in each room. No fire drills are conducted during periods of mandatory testing required by the Board of Education.

Lock-Down Drills

Each school has a lock-down drill at least once during the first 20 school days of each school session. Each school holds at least one additional lock-down drill after the first 60 days of the school session. Each school provides the parents of enrolled students with at least 24 hours' notice before the school conducts any lock-down drill. Such notice is not required to include the exact date and time of the lock-down drill.

Pre-kindergarten and kindergarten students are exempt from mandatory participation in lock-down drills during the first 60 days of the school session. The superintendent develops procedures to implement such exemption. Each pre-kindergarten and kindergarten student participates in each lock-down drill after the first 60 days of each school session.

School Bus Emergency Drills

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

Tornado Drills

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

Emergency Situations

In addition to the drills mentioned above, the School Board provides training to each student and employee at least once each school year on safety procedures in the event of an emergency situation on school property. Adopted: April 3, 1998

Revised: February 19, 2004

Revised: May 15, 2008

Revised: June 25, 2013

Revised: June 27, 2016

Revised: December 1, 2016

Revised: June 19, 2018

Revised: August 1, 2019

Revised: August 1, 2024

Adopted:

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Legal Refs.: Code of Virginia, §§ 27-94 through 27-101, 22.1-137, 22.1-137.1, 22.1-137.2, 22.1-137.3, 22.1-184.

Acts 2006, c. 164.

8 VAC 20-131-260.

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

EDUCATIONAL FACILITIES SPECIFICATIONS

To ensure that all new and remodeled facilities are designed to best implement the educational program, the superintendent provides for the development of detailed educational specifications to apply to the design and construction of new buildings. Educational specifications include detailed descriptions of:

- All the activities that are expected to take place in the building;
- The curriculum to be housed in the building;
- Specific architectural characteristics desired; and
- The facilities needed, their equipment requirements, and their relationship to other facility elements.

When educational specifications are prepared, an introductory section is included containing a brief description of the community and the educational philosophy of the division. Consultants may be used in the development of educational specifications when deemed necessary by the superintendent and approved by the School Board.

The School Board consults with the local building official and the state or local fire marshal to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with the Uniform Statewide Building Code and Statewide Fire Prevention Code.

Adopted: April 3, 1998
Reviewed: February 21, 2008
Revised: June 17, 2010
Reviewed: June 27, 2016
Revised: August 1, 2019
Revised: August 1, 2024
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-79, 22.1-138.

Cross Refs.:	AF	Comprehensive Plan
	FB	Facilities Planning
	FECBB	Accommodations for Individuals with Disabilities
	FEG	Construction Planning

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, 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, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, 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 the division's computer system must be (1) in support of education and/or research, or (2) for legitimate division 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 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) 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
 - 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 the division's 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 websites, blogs, in chat rooms, and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, 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 school division's computer system must be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The division's 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.

No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any device or equipment issued, owned, or leased by the School Board, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

The failure of any user to follow the terms of this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damages relating to or arising out of any violation of this policy or the Technology Use Guidelines.

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 is not responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board 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: June 17, 2021
Revised: April 13, 2023
Adopted: June 27, 2023
Adopted:

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. §254.

Code of Virginia, 1950, as amended, §§ 2.2-5514.1, 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78.

Cross Refs.:	ECAB	Vandalism
	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

STAFF WEAPONS IN SCHOOL

No one, **unless otherwise allowed by law**, may possess or use any firearm or any weapon, as defined in Policy JFCD Weapons in School, on school property (including school vehicles), on that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place or on any school bus without authorization of the superintendent or superintendent's designee. The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property.

Violation of this policy by an employee will result in appropriate personnel action up to and including dismissal.

Illegal conduct will be reported to law enforcement officials.

Adopted: February 19, 1998
Revised: March 4, 2004
Revised: March 20, 2008
Revised: June 16, 2011
Revised: June 30, 2015
Revised: June 20, 2017
Revised: August 6, 2020
Adopted:

Legal Refs: Code of Virginia, 1950, as amended, §§ 18.2-308.1, 22.1-78, 22.1-279.3:1, 22.1-280.2:1, 22.1-280.2:4.

8 VAC 20-560-10.

Cross Refs.: CLA	Reporting Acts of Violence and Substance Abuse
JFCD	Weapons in School
KGB	Public Conduct on School Property

PROFESSIONAL STAFF CONTRACTS

The School Board enters into written contracts with teachers, principals, assistant principals, and supervisors as defined in 8 VAC 20-441-10 before such employees assume their duties except as noted below. Contracts are in the form permitted by the Board of Education, with special covenants added by the School Board as appropriate. Contracts are signed in duplicate, with a copy furnished to each party.

Written contracts are not required with persons who are temporarily employed. A temporarily employed teacher, is 1) one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or 2) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year.

Coaching contracts and contracts for extracurricular activity sponsorship assignments where a monetary supplement is paid are separate from the employee's primary contract. Such contracts are in a form permitted by the Board of Education. Termination of the separate contract does not constitute cause for the termination of the primary contract.

For purposes of this policy, "extracurricular activity sponsorship" means an assignment for which a monetary supplement is received, requiring responsibility for any student organizations, clubs, or groups such as service clubs, academic clubs and teams, cheerleading squads, student publication and literary groups, and visual and performing arts organizations except those that are conducted in conjunction with regular classroom, curriculum, or instructional programs.

Adopted: March 20, 2008
Revised: July 5, 2012
Revised: June 25, 2013
Revised: June 19, 2018
Reviewed: April 13, 2023
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-302.
8 VAC 20-441-10.
8 VAC 20-441-40.

Cross References: GCBB Supplementary Pay
GCDA Effect of Criminal Conviction or Founded Complaint of
Child Abuse or Neglect
GCE Part-Time and Substitute Professional Staff
Employment

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GCG	Professional Staff Probationary Term and Continuing Contract
GCPB	Resignation of Staff Members
GCPD	Professional Staff Discipline
GCPF	Suspension of Staff Members

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

Generally

The Board 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 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 the solicitation of any such offense; 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, or the solicitation of any such offense,

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, or the solicitation of any such offense, provided that in the case of a felony conviction, such individual's civil rights have been restored by the Governor.

The Charlottesville City School Board 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 is guilty of a Class 1 misdemeanor and upon conviction, the fact of such conviction is 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

PERSONNEL

File: GCDA-RL
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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 the applicant's criminal history record, the School Board 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 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 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.

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 the applicant's record in the registry, the School Board 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 is confidential and 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 the employee's criminal history record, the School Board 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 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, is grounds for the 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.

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

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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: June 17, 2021
Revised: June 27, 2023
Adopted:

Legal References: 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.

Cross References: GCPF Suspension of Staff Members
 GCPD Professional Staff Discipline

SUBSTITUTE TEACHERS

- Substitute teachers must be at least 18 years old;
- hold a high school diploma or have passed a high school equivalency examination approved by the Board of Education; and
- **[INSERT OTHER QUALIFICATIONS DESIRED BY YOUR SCHOOL BOARD].**

The Charlottesville City School Board seeks to employ substitute teachers, especially those engaged as long-term substitutes, who exceed these requirements.

A substitute teacher, as used in this policy, is (i)

one who is employed to substitute for a contracted teacher for a temporary period of time during the contracted teacher's absence, or

(ii) one who is employed to fill a teacher vacancy for a period of time, but for no longer than 90 teaching days in such vacancy, unless otherwise approved by the Superintendent of Public Instruction on a case-by-case basis, during one school year. However, during the 2023-2024 and 2024-2025 school years, the BLANK School Board may employ a substitute teacher to fill such a vacancy for a period not to exceed 180 days during one school year.

Adopted: February 19, 1998

Revised: May 17, 2001

Revised: March 4, 2004

Revised: March 20, 2008

Revised: July 5, 2012

Revised: June 26, 2014

Reviewed: August 1, 2019

Revised: November 7, 2019

Adopted: June 27, 2023

Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-302.

Acts 2023, c.641.

Cross References:	GCB	Professional Staff Contracts
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

**PROFESSIONAL STAFF PROBATIONARY TERM
AND CONTINUING CONTRACT****Teachers****Probationary Term**

A probationary term of service of three years in the Charlottesville City School division is required before a teacher is issued a continuing contract. A mentor teacher is provided to every first year probationary teacher to assist him or her in achieving excellence in instruction. Probationary teachers with prior successful teaching experience may be exempt from this requirement with approval from the superintendent. Probationary teachers are evaluated at least annually in accordance with policy GCN Evaluation of Professional Staff. A teacher in the first year of the probationary period is evaluated informally at least once during the first semester of the school year. The superintendent considers such evaluations as one factor in making recommendations to the School Board regarding the nonrenewal of such teacher's contract.

In order to achieve continuing contract status, every teacher must successfully complete training in instructional strategies and techniques for intervention for or remediation of students who fail or are at risk of failing the Standards of Learning assessments. The Charlottesville City School Board provides said training at no cost to teachers it employs. If such training is not offered in a timely manner, no teacher will be denied continuing contract status for failure to obtain such training.

Once a continuing contract status has been attained in a school division in this state, another probationary period need not be served unless such probationary period, not to exceed two years, is made a part of the contract of employment. If a teacher separates from service and returns to teaching service in Virginia public schools by the beginning of the third year, the person shall be required to begin a new probationary period, not to exceed two years, if made part of the contract.

If a teacher who has not achieved continuing contract status receives notice of re-employment, he must accept or reject in writing within 15 calendar days of receipt of the notice. Unless a conference with the superintendent is requested as specified in the Code of Virginia, or in the case of reduction in force, written notice of nonrenewal of the probationary contract must be given by the Board on or before June 15 of each year. If the teacher requests a conference with the superintendent, then written notice of non-renewal by the School Board must be given within thirty days after the superintendent notifies the teacher of his intention with respect to the recommendation.

Continuing Contract

Teachers employed after completing the probationary period are entitled to continuing contracts during good behavior and competent service. Written notice of noncontinuation of the

contract by either party must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing year.

The School Board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

Furthermore, nothing in the continuing contract shall be construed to authorize the School Board to contract for any financial obligation beyond the period for which funds have been made available.

As soon after June 15 as the school budget is approved by the appropriating body, the School Board furnishes each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Within two weeks of the approval of the school budget by the appropriating body, but no later than July 1, the School Board will notify any teacher who may be subject to a reduction in force due to a decrease in the School Board's budget as approved by the appropriating body.

Principals, Assistant Principals, and Supervisors

A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve a probationary term of three years in such position in the same school division before acquiring continuing contract status as a principal, assistant principal or supervisor.

Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting the School Board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the School Board by June 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the superintendent, the superintendent's designee or the School Board. Before recommending such reassignment, the superintendent shall consider, among other things, the performance evaluations for such principal, assistant principal or supervisor. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the superintendent, the superintendent's designee or the School Board. The School Board, superintendent or superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the School Board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the superintendent, the superintendent's designee or the School Board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require

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cause for the salary reduction and reassignment of a principal, assistant principal or supervisor.

As used in this policy, "Supervisor" means a person who holds an instructional supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education.

Adopted: October 21, 1999
Revised: March 20, 2008
Revised: June 16, 2011
Revised: July 5, 2012
Revised: June 25, 2013
Revised: June 27, 2016
Revised: June 19, 2018
Revised: August 6, 2020
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-294, 22.1-303, 22.1-304.

Cross References:	GBM	Professional Staff Grievances
	GCB	Professional Staff Contracts
	GCE	Part-Time and Substitute Professional Staff Employment
	GCN	Evaluation of Professional Staff
	GCPA	Reduction in Professional Staff Work Force
	GCPB	Resignation of Staff Members
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members

The Charlottesville City School Board provides a program of high-quality professional development

- 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;
- 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;
- in educational technology for all instructional personnel which is designed to facilitate integration of computer skills and related technology into the curricula;
- 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
- 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

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

The Board provides high-quality professional development and training in science-based reading research and evidence-based literacy instruction, from the list developed and the resources provided by the Virginia Department of Education (the Department) pursuant to subsection C of Va. Code § 22.1-253.13:5 or an alternative program that consists of evidence-based literacy instruction and aligns with science-based reading research approved by the Department, for

- each elementary school principal and each teacher with an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, special education general curriculum kindergarten through grade 12,

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special education deaf and hard of hearing preschool through grade 12, special education blindness/visual impairments preschool through grade 12, or English as a second language preschool through grade 12, or as a reading specialist that builds proficiency in evidence-based literacy instruction and science-based reading research in order to aid in the licensure renewal process for such individuals;

- each teacher with an endorsement in middle education grades six through eight who teaches English that builds proficiency in evidence-based literacy instruction and science-based reading research; and
- each middle school principal and teacher with an endorsement in middle education grades six through eight who teaches mathematics, science, or history and social science that builds an awareness of evidence-based literacy instruction and science-based reading research.

The Board provides high-quality professional development in implementing the Virginia IEP established pursuant to Va. Code § 22.1-214.4(11) and the referral, evaluation, reevaluation and eligibility forms and worksheets referenced in Va. Code §22.1-214.4(6), for each teacher with a provisional special education license or an endorsement in special education general curriculum kindergarten through grade 12, special education deaf and hard of hearing preschool through grade 12, and special education blindness and visual impairments preschool through grade 12.

The Board provides high-quality professional development in instructional practices to support specially designed instruction in inclusive settings for

- each teacher with a provisional general education license or an endorsement in early/primary education preschool through grade three, elementary education preschool through grade six, and secondary education grades six through 12;
- each principal with an endorsement in administration and supervision preschool through grade 12;
- each teacher's aide or other paraprofessional; and
- any teacher with a provisional special education license for whom the School Board determines there is a need for such professional development.

All instructional personnel are required to participate each year in professional development programs. No elementary or secondary school teacher is required to participate more than once every five years in training regarding appropriate management of student conduct and student offenses in violation of School Board policies or relating to secure mandatory test violations as set forth in Va. Code §§ 22.1-19.1 and 22.1-292.1 unless the School Board or superintendent determines that additional training is necessary to comply with federal or state law or to remediate misconduct. Each teacher who completes such training must sign a written attestation that the teacher has been trained in and understands the relevant subject matter.

All licensed staff and instructional support staff employed on a full-time basis, is required to complete a mental health awareness training or similar program.

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Every employee holding a license issued by the Board of Education is required to complete cultural competency training, in accordance with guidance issued by the Board of Education, at least every two years.

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: June 17, 2021
Revised: August 17, 2022
Adopted: June 27, 2023
Revised: August 1, 2024
Adopted:

Legal References: 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, 22.1-298.6, 22.1-298.7 and 22.1-298.8.

PROFESSIONAL STAFF DISCIPLINE

A. Probation and Dismissal

Teachers may be dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with State and federal law, conviction of a felony or a crime of moral turpitude or other good and just cause.

A teacher shall be dismissed if such teacher is or becomes the subject of a founded complaint of child abuse and neglect, pursuant to Va. Code § 63.2-1505, 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 School Board to recommend that the Board of Education revoke such person's license to teach.

In those instances when licensed personnel are dismissed or resign due to a conviction of any felony; any offense involving the sexual molestation, physical or sexual abuse or rape of a child; any offense involving drugs; or due to having become the subject of a founded case of child abuse or neglect, the School Board shall notify the Board of Education within 10 business days of such dismissal or the acceptance of such resignation.

If a current employee is dismissed because of information appearing on the employee's criminal history record, the School Board shall provide a copy of the information obtained from the Central Criminal Records Exchange to the employee.

Administrative regulations shall be developed for the dismissal or placing on probation of continuing contract teachers and probationary teachers during the school year.

No teacher shall be dismissed or placed on probation solely on the basis of the teachers' refusal to submit to a polygraph examination requested by the School Board.

B. Suspension

Employees of Charlottesville City School Board may be suspended as provided in Policy GCPF Suspension of Staff Members.

C. Failure to Perform Nonemergency Health-Related Services

With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii)

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obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

"Health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.

D. Effect of Probation Pursuant to Va. Code §18.2-251

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

Adopted: February 19, 1998
Revised: March 20, 2008
Revised: June 19, 2008
Revised: July 5, 2012
Revised: June 20, 2017
Revised: August 6, 2020
Revised: August 1, 2024
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 18.2-251, 22.1-274, 22.1-296.2, 22.1-307, 22.1-313, 22.1-315.

Cross References:	<u>BC</u>	GBM	Professional Staff Grievances
	GCE	Part-Time and Substitute Staff Employment	
	GCG	Professional Staff Probationary Term and Continuing Contract	
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect	
	GCPF	Suspension of Staff Members	
	JHC	Student Health Services	
	JHCD	Administering Medicines to Students	

TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

Charlottesville City Public 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,
- the health and safety risks of using tobacco products, nicotine vapor products, and alternative nicotine products, and
- gambling and the addictive potential thereof.

~~Each school that includes grades nine through 12 annually distributes fentanyl education and awareness information developed by the Department of Education to each student in those grades within the first two weeks of school.~~

Adopted: July 16, 1998
 Reviewed: April 17, 2008
 Revised: June 17, 2010
 Revised: June 26, 2014
 Revised: August 1, 2019
 Revised: June 17, 2021
 Revised: August 4, 2022
 Revised: August 1, 2024
 Adopted:

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

Cross References:	<u>EBBC</u>	<u>Opioid Antagonists</u>
	<u>GBEC/JFCH/KGC</u>	<u>Tobacco Products and Nicotine Vapor Products</u>
	<u>JFC</u>	<u>Student Conduct</u>
	<u>IGAE/IGAF</u>	<u>Health Education/Physical Education</u>
	<u>JFCF</u>	<u>Drugs in School</u>
	<u>JFCI</u>	<u>Substance Abuse – Student Assistance Program</u>
	<u>JHCD</u>	<u>Administering Medicines to Students</u>
	<u>KGD</u>	<u>Notification of School-Connected Student Overdose</u>

DRIVER EDUCATION

The Charlottesville City School Board offers a program of driver education in the high schools in the safe operation of motor vehicles.¹ The program includes instruction concerning

- alcohol and drug abuse;
- aggressive driving;
- the dangers of distracted driving and speeding;
- motorcycle awareness;
- organ and tissue donor awareness;
- fuel-efficient driving practices; and
- traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops.

The program also includes an additional minimum 90-minute parent/student driver education component as part of the classroom portion of the driver education curriculum.² However, no student who is (1) at least 18 years of age, (2) an emancipated minor, or (3) an unaccompanied minor who is not in the physical custody of the student's parent or guardian is required to participate in the parent/student driver education component. The parent/student driver program emphasizes (i) parental responsibilities regarding juvenile driver behavior, (ii) juvenile driving restrictions pursuant to the Code of Virginia, (iii) the dangers of driving while intoxicated and underage consumption of alcohol, and (iv) the dangers of distracted driving.

The School Board establishes fees, that do not exceed the limit established by the 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.

¹FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

School boards are not required to offer driver education programs. A division that does not offer such a program should not adopt this policy. Boards that do offer driver education may offer classroom training or behind-the-wheel instruction or both. Divisions that do not offer behind-the-wheel should not adopt the third paragraph of this policy and should remove Policy JN as a Cross Reference to this policy.

²

In Planning District 8, the parent/student driver education component must be administered in-person. In other Planning Districts, the parent/student driver education component may be administered either in-person or online by a public school or a driver training school that is licensed as a computer-based driver education provider. The participation of the student's parent or guardian in the parent/student driver education component is required in Planning District 8 unless the student is otherwise exempted from participation in the parent/student driver education component. In other Planning Districts, the participation of the student's parent or guardian in the parent/student driver education component is encouraged but is not required.

Any student who participates in a driver education program must meet the academic requirements established by the Board of Education. No student is 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 is 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 months³.

At the beginning of each school year and thereafter as necessary, the superintendent reports 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: June 17, 2021
Revised: August 4, 2022
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-205, 46.2-334, 46.2-340.

8 VAC 20-340-10.

8 VAC 20-720-80.

Cross References: JED Student Absences/Excuses/Dismissals
JN Student Fees, Fines, and Charges

³FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

Each school board can determine what a satisfactory driving record is for driver education instructors. Boards are free to include requirements which are more or less stringent than those included here.

PROGRAMS FOR STUDENTS WITH DISABILITIES

Generally

The Charlottesville City School Board provides a free, appropriate public education for all children and youth with disabilities, ages 2 through 21, inclusive, who are residents of Charlottesville or who are not residents of Charlottesville but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the Board. To the maximum extent appropriate, students with disabilities are educated with children without disabilities.

An Individualized Education Program (IEP) is developed and implemented for each child with a disability served by the Charlottesville City School Board. The program is developed in a meeting of the child's IEP team, which includes the child's teachers, parent, the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parent or school division in accordance with State and federal law and regulations. This IEP is reviewed at least annually.

Parents of students with disabilities are provided guidance from the Virginia Department of Education regarding the availability of credit accommodations to earn a standard diploma and the limitations of the Applied Studies Diploma at a student's annual IEP program meeting corresponding to grades three through 12 when curriculum or statewide assessment decisions are being made that impact the type of diploma for which the student can qualify. The child's IEP team considers credit accommodations, including locally awarded verified credits, to enable the child to earn a standard diploma.

The IEP includes areas specified by state and federal statutes and regulations.

Special Education Parent/Family Liaison

School Board designates a faculty member to serve as a special education parent/family liaison, who serves as a resource to parents and families to understand and engage in

- (i) the referral, evaluation, reevaluation, and eligibility process if they suspect that their child has a disability and
- (ii) the IEP process and works in collaboration with the special education family support centers established by the Parent Training and Information Center of the Commonwealth pursuant to Virginia Code § 22.1-214.5.

The School Board posts the name of the designated special education parent/family liaison publicly on its website.

Explanation of Procedural Safeguards

A copy of the procedural safeguards available to the parent of a child with a disability is given to the parent. The procedural safeguards notice includes a full explanation of all the procedural safeguards available.

Child Find

The Charlottesville City School Board maintains an active and continuing child find program designed to identify, locate and evaluate those children residing in the division who are birth to 21 inclusive who are in need of special education and related services

The School Board provides all applicable procedural safeguards including written notice to the parents of the scheduled screening and, if the child fails the screening, the results of the screening, confidentiality and maintenance of the student's scholastic record.

Adopted: March 18, 2004
Revised: April 17, 2008
Revised: June 16, 2011
Revised: June 26, 2014
Revised: August 1, 2019
Revised: August 4, 2022
Revised: August 1, 2024
Adopted:

Legal Refs.: 20 U.S.C. § 1400 et seq.

29 U.S.C. § 701 et seq.

42 U.S.C. § 12101 et seq.

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Code of Virginia, 1950, as amended, §§ 22.1-213, 22.1-214, 22.1-214.5, 22.1-215, 22.1-253.13:2, 22.1-253.13:4.

8 VAC 20-81-30.

8 VAC 20-81-50.

8 VAC 20-81-80.

8 VAC 20-81-100.

8 VAC 20-81-110.

8 VAC 20-81-130.

8 VAC 20-81-170.

Cross Refs.: IAA
IKF
JO

Notification of Learning Objectives
The Virginia Assessment Program and Graduation Requirements
Student Records

ONLINE COURSES AND VIRTUAL SCHOOL PROGRAMS

The Charlottesville City School Board may enter into contracts, consistent with the criteria approved by the Board of Education, with approved private or nonprofit organizations to provide multidivision online courses and virtual school programs. Such contracts are exempt from the Virginia Public Procurement Act.

Information regarding online courses and programs that are available through the school division is posted on the division's website. The information includes the types of online courses and programs available to students through the division, when the division will pay course fees and other costs for nonresident students, and the granting of high school credit.

Any student enrolled in any online course or virtual program offered by the school division must be enrolled in a public school in Virginia as provided in Va. Code § 22.1-3.1. The student's parent or guardian must give written permission prior to the enrollment of the student in any full-time virtual program offered by the school division.

A student who resides in Charlottesville City school division is not charged tuition for enrolling in any online course or virtual program offered by the school division. However, tuition may be charged to students, except children with disabilities who are enrolled in the division's full-time virtual school program, who do not reside within the boundaries of the school division.

Teachers who deliver instruction to students through online courses or virtual school programs must be licensed by the Board of Education and are subject to the requirements of Policy GCDA Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect.

The administrator of a virtual school program must hold an advanced degree from a regionally accredited institution of higher education with educational and work experience in administering educational programs.

For purposes of this policy, the following definitions apply.

"Multidivision online provider" means (i) a private or nonprofit organization that enters into a contract with a local school board to provide online courses or programs through that school board to students who reside in Virginia both within and outside the geographical boundaries of that school division; (ii) a private or nonprofit organization that enters into contracts with multiple local school boards to provide online courses or programs to students in kindergarten through grade 12 through those school boards; or (iii) a local school board that provides online courses or programs to students who reside in Virginia but outside the geographical boundaries of that school division. However, "multidivision online provider" shall not include (a) a local school board's online learning program in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of that school division; (b) multiple local school boards that establish joint online courses or programs in which fewer than 10 percent of the students enrolled reside outside the geographical boundaries of those school divisions; (c) local school boards that provide online learning courses or programs for their students through an arrangement with a public or private institution of higher education; or (d) local school

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boards providing online courses or programs through a private or nonprofit organization that has been approved as a multidivision online provider.

"Online course" means a course or grade-level subject instruction that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods and (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both.

"Virtual school program" means a series of online courses with instructional content that (i) is delivered by a multidivision online provider primarily electronically using the Internet or other computer-based methods; (ii) is taught by a teacher primarily from a remote location, with student access to the teacher given synchronously, asynchronously, or both; (iii) is delivered as a part-time or full-time program; and (iv) has an online component with online lessons and tools for student and data management.

Adopted: June 17, 2010
Revised: July 5, 2012
Revised: June 26, 2014
Revised: August 1, 2019
Revised: August 1, 2024
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-212.24, 22.1-212.25, 22.1-212.26, 22.1-212.27, 22.1-215, 22.1-296.1, 22.1-296.2, and 22.1-296.4.

Cross References:	DJF	Purchasing Procedures
	GCDA	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect
	IGBA	Programs for Students with Disabilities
	IGBG	Off-Site Instruction and Virtual Courses

ADVANCED OR ACCELERATED MATHEMATICSAnnual Notification

The parents of each student in grades five through eight is notified annually of the following:

- Criteria and process for enrollment in advanced or accelerated mathematics, including automatic enrollment and parental opt-out, as set forth in this policy;
- The importance of middle school mathematics coursework;
- The impact of middle school mathematics coursework on the high school mathematics coursework sequence; and
- The mathematics courses available within the Charlottesville City school division.

Automatic Enrollment and Option for Parental Opt-Out

Students in grades five through eight who earn a grade-level upper quartile scale score on the end-of-year Standards of Learning mathematics assessments will be automatically enrolled in an available advanced or accelerated mathematics course in the next school year. Parents of such a student may opt-out their student from such automatic enrollment.

Eligibility for Enrollment

~~Besides the automatic enrollment option referenced above, students may be eligible for enrollment in an available advanced or accelerated mathematics course upon teacher recommendation, parental recommendation, student preference, or student aptitude as demonstrated through other means of evaluation than the Standards of Learning mathematics assessment, such as grades, other standardized testing, portfolios, or observation.~~

In addition to the automatic enrollment option referenced above, students may be eligible for placement in an available advanced or accelerated mathematics course based on demonstrated aptitude through measures other than the Standards of Learning mathematics assessment, such as standardized testing (e.g., MAP testing).

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-207.9, 22.1-253.13:1, 22.1-253.13:3.

Cross Ref.: IA Instructional Goals and Objectives
IKF The Virginia Assessment Program and Graduation Requirements

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating learning, 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, interactive whiteboards/panels, audio-visual equipment, multimedia devices, workstations, remote network access, cloud services, 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 the division's computer system must be (1) in support of education and/or research, or (2) for legitimate division 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 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) 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 the division's 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 websites, blogs, in chat rooms, and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, 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 school division's computer system must be consistent with the educational or instructional mission or administrative function of the division as well as the varied instructional needs, learning styles, abilities and developmental levels of students.

The division's 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.

No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any device or equipment issued, owned, or leased by the School Board, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

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The failure of any user to follow the terms of this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action. Users of the system agree to indemnify the School Board for any losses, costs, or damages relating to or arising out of any violation of this policy or the Technology Use Guidelines.

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 is not responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board 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: June 17, 2021
Revised: April 13, 2023
Revised: June 27, 2023
Adopted:

Legal References: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. §254.

Code of Virginia, 1950, as amended, §§ 2.2-5514.1, 18.2-372,
18.2-374.1:1, 18.2-390, 22.1-23.3, 22.1-70.2, and 22.1-78.

Cross References:	ECAB	Vandalism
	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

SCHOOL ATTENDANCE AREAS

School attendance areas for each school are established by the School Board. Students attend the school in the attendance area in which they reside and to which they are assigned, unless special permission is granted by the School Board.

A. Establishment of Zones

In the establishment of such zones, the Board considers, among other things, the capacity of a school, the number of school-age children living in a given area, city limits, natural boundaries and major traffic areas, the safety of students going to and from school, and the number of children living in a given area who qualify for free and reduced meals. A separate attendance zone is established for each elementary school, and a single citywide attendance zone is established for schools serving serves middle and high school students. (Note: Effective August 2026, the elementary schools will change from grades preK-4 to grades K-5, and there will be a single citywide attendance zone for preK students in addition to middle and high school students).

Any student who resides on a military installation or in military housing within the division is permitted to enroll in any school in the division upon request of the student's parent if space in the school is available. The superintendent is responsible for establishing an application process which may include the following

- A process by which a parent or guardian indicates a school preference for purposes of his child attending a school in the division but outside of the attendance area in which the child resides
- A requirement that the parent or guardian provide transportation for the student attending a school outside the attendance zone in which the child resides
- A requirement that the student may be disqualified from attending a school outside the attendance area in which the child resides if he has been subject to specified disciplinary actions
- A prohibition on the recruitment of a student from one school to another by a school division employee
- ~~A limitation on participation in certain athletic activities for a student who chooses to attend a school outside the attendance zone in which he resides~~
- A random, unbiased selection process in the event enrollment requests exceed the capacity of a school
- A provision that a student will be permitted to remain at the receiving school until the student has completed the highest grade level in that school
- A preference to a student
 - who resides in a location that has been subject to a change in school attendance area during the previous two years
 - who has a sibling attending the receiving school, or
 - whose parent or guardian is an employee of the receiving school

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Changes in attendance areas are determined by the School Board, upon recommendation of the superintendent based on the need to provide for the orderly administration of the schools, the competent instruction of the students and the health, safety, best interests and general welfare of all students.

B. School Zone Attendance Requirements for Resident Students

All resident students shall attend the school which serves the attendance zone in which they reside except under special conditions approved by the Board. The residence of the person having legal custody of the student is considered the residence of the student. The Board reserves the right to verify the residency of any student.

C. Requests for Out of School zone Attendance by Resident Students

A parental request for out of school zone attendance by a resident student may be considered under the limited circumstances set forth below:

- Elementary student child care issues. The parent/guardian must demonstrate hardship in providing appropriate supervision for the child in the designated school area where the parent/guardian resides. Factors the School Division will consider include, but are not limited to, the age of the child, lack of childcare providers in the designated school area, personal circumstances within the parent/guardian's household (i.e., the parent/guardian work schedule, ability to pay for child care, among others), length of time child has been with child care provider, type of care situation (private home vs. daycare center), and family relation to the childcare provider, advantages of the care to be provided in the requested area, and whether the family or provider will provide safe and punctual transportation to/from the requested school.
- Change of residence during the course of a school year. A student changing residence within the city shall be permitted to complete the school year in the school in which he/she was in attendance, and the parent/guardian must provide transportation to and from school. A student who has attended a school for at least three years and moves to another residence in the city is eligible to complete his/her education at the school he/she was attending, and the parent/guardian must provide transportation. If the student has not been in attendance for three years, the student shall enroll in and attend the school serving the attendance zone in which he/she resides at the beginning of the next school year.
- Families impacted by elementary rezoning. A student attending their school of residence the year prior to a boundary change going into effect may apply annually to continue attending the school until the highest grade level for that school is completed if the family will provide safe, reliable and punctual transportation to/from the requested school. For students applying to stay who are entering first through third grade, applications for younger siblings entering kindergarten will also be considered. Similarly, families may apply to attend a school outside the current zone of residence based on boundary changes planned to go into effect before their student completes fifth grade if the family will provide safe, reliable and punctual transportation to/from the requested school.

D. Application for Out of School Zone Attendance

A request for out of school zone attendance must be made on a form provided by the School Division. The form shall be submitted to the office of the Chief Operations Officer (COO) who will forward a copy to the office of the principal of the desired school of attendance. A request based upon convenience or personal preference not in alignment with the circumstances detailed in this policy shall not be considered. Out of zone attendance may be approved only when the approval does not exceed the optimum student capacity, as determined by the Superintendent, of the grade and school requested. The COO, in a timely manner, shall provide an applicant with written notification of the approval or denial of a request. Approval, if granted, is valid only for the school year in which it is received and a parent/guardian shall reapply in writing each school year for consideration. Falsification of any information stated in a request will be cause for immediate revocation of out of school zone attendance permission and no further application shall be considered.

Approval of out of zone attendance can be revoked by the Superintendent or his/her designee with written notification to the parent/legal guardian. Reasons for revocation include, but are not limited to, overcrowding, poor attendance, habitual tardiness, failure to provide safe and punctual transportation, Code of Conduct violations, and any action or behavior by the student or parent/legal guardian that is disruptive to and/or interferes with the educational process.

E. Homelessness

Federal and state mandates regarding the admission of homeless students shall supersede Board policies or regulations related to out of school zone attendance by resident students.

As used in this policy, "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, fort, or other activity under the jurisdiction of the Department of Defense, including any leased facility, that is located in whole or in part within the Commonwealth. "Military installation" does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

Approved: April 3, 2003
Revised: June 19, 2008
Revised: June 23, 2013
Revised: June 26, 2014
Revised: June 19, 2018
Reviewed: June 27, 2023
Revised: May 1, 2025
Adopted:

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-7.1, 22.1-7.2, 22.1-78, 22.1-79, 22.1-253.13:7.

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Cross Refs: JCA Transfers by Student Victims of Crime
JCB Transfers by Students in Persistently Dangerous Schools

CLASSROOM ASSIGNMENTS FOR TWINS

A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than 3 days after the first day of each school year or 3 days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parent.

Schools must provide the placement requested by the children's parent, unless the division superintendent or his designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress.

Adopted: June 18, 2009
Reviewed: July 5, 2012
Revised: June 30, 2015
Reviewed: August 6, 2020
Adopted:

Legal References: Code of Virginia, as amended, § 22.1-79.3.

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

The School Board shall excuse from attendance at school:

1. Any student who, together with ~~his~~ the student's parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school.
2. On the recommendation of the juvenile and domestic relations court of the city or county in which the student resides, and for such period of time as the court determines appropriate, any student who, together with ~~his~~ the student's parents, is opposed to attendance at a school by reason of concern for the student's health as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

The School Board may excuse from attendance at school:

1. On recommendation of the principal and the superintendent and with the written consent of the parent or guardian, any student who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education at school; or
2. On recommendation of the juvenile and domestic relations district court of the city or county in which the student resides, any student who, in the judgment of the court, cannot benefit from education at school.

Any request for exemption from attendance shall be presented annually in writing to the superintendent or ~~his/her~~ superintendent's designee.

The compulsory education requirements do not apply to ~~the following children~~

- children suffering from contagious or infectious diseases;
- children whose immunizations against communicable diseases have not been completed (see Policy JHCB);
- children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live; and
- children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live. Distances shall be measured or determined by the nearest practical routes usable for either walking or riding, from the entrance to the school grounds, or from the nearest school bus stop, to the residence of the children.

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In addition, any child who will not have reached the child's sixth birthday on or before September 30 of each school year whose parent or guardian notifies the School Board that the parent does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically, or emotionally prepared to attend school, may delay the child's attendance for one year.

Adopted: October 21, 1999
Revised: June 19, 2008
Revised: June 16, 2011
Reviewed: June 17, 2021
Adopted:

Legal Reference: Code of Virginia, 1950, as amended, § 22.1-254.

Cross References:	JEA	Compulsory Attendance
	JHCB	Immunization of Students
	JHCC	Communicable Diseases
	LBD	Home Instruction

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.

Cell Phones

The student use of any type of unauthorized electronic or mechanical device that is not part of the instructional program is prohibited. Cell phones and similar devices are "off and away" for the entire school day (upon arrival at school through the end of the academic day). The division may implement additional requirements for phone and device storage (such as in magnetic pouches, pencil boxes, or other). Cell phone breaks will not be allowed. Video and/or audio recording of staff and/or students during the school day or school-sponsored activity is prohibited. This shall include, but is not limited to: cell phones, portable musical devices, laser pointers, cameras, laptop computers, MP3 players, iPods, portable DVD players, portable TV's, smart watches, etc. Cell phones may be used at school-sponsored activities after regular school hours. However, cell phone use must not interfere with any after-school activity.

If students violate the "off and away" expectations, they will be asked to relinquish their phone to administration for the remainder of the day. If this behavior continues, confiscated phones will only be released to parents / guardians at the end of the day.

Students who are found to have recorded fights or used their phone in other inappropriate ways may lose their phone privileges for up to a year and are subject to other disciplinary actions.

Parental Involvement and Responsibility

Each parent of a student enrolled in Charlottesville City schools has a duty to assist in enforcing this policy, the Standards of Student Conduct and compulsory school 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 school attendance law is 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 receipt of this policy, the Standards of Student Conduct, the requirements of Va. Code § 22.1-279.3 and the compulsory school attendance law is also sent. Parents are 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 maintains records of the signed statements.

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 or parents' responsibility to participate with the school in disciplining the student and maintaining order, to ensure the student's compliance with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress.

The school principal or principal's designee notifies the parents of any student who violates a School Board policy, the Standards of Student Conduct, or the compulsory school attendance requirements when such violation is likely to result in the student's suspension or the filing of a court petition, whether or not the school administration has imposed such disciplinary action or filed such a petition. The notice states (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 ensuring compliance with compulsory school attendance; (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 district court may be filed under certain circumstances to declare the student a child in need of supervision.

The principal or principal's designee notifies 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 a parent fails to comply with the requirements of this Policy, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent in accordance with the requirements of 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 Acts of Violence and Substance Abuse, participates 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.

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.

The principal or principal's designee notifies the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying.

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.

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.

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: June 17, 2021
Revised: June 27, 2023
Revised: September 7, 2023
Adopted:

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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; 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 June 2021.

Cross Refs.:	CLA	Reporting Acts of Violence and Substance Abuse
	<u>EBB</u>	<u>Threat Assessment Teams</u>
	ECAB	Vandalism
	IIBEA/GAB	Acceptable Computer System Use
	JFCE	Gang Activity or Association
	JFCF	Drugs in School
	JFG	Search and Seizure
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGA	Corporal Punishment
	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

WEAPONS IN SCHOOL

I. Generally

Carrying, bringing, using or possessing any firearm, dangerous device, or dangerous or deadly weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school principal or the superintendent or superintendent's designee is prohibited, and grounds for disciplinary action. The superintendent or superintendent's designee is permitted to give authority to possess a firearm on school property only to persons expressly authorized by statute to possess a firearm on school property.

Such weapons include, but are not limited to:

- any pistol, shotgun, stun weapon, revolver, or other firearm listed in Va. Code § 22.1-277.07, designed or intended to propel a projectile of any kind, including a rifle,
- unloaded firearms in closed containers,
- any air rifle or BB gun,
- toy guns and look-alike guns,
- any dirk, bowie knife, switchblade knife, ballistic knife, machete, knife or razor,
- slingshots,
- spring sticks,
- brass or metal knuckles, blackjacks,
- any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain,
- any disc, of whatever configuration, having at least two points or pointed blades, and which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart,
- explosives, and
- destructive devices as defined in Va. Code § 22.1-277.07, and
- other dangerous articles.

II. Expulsion for Possession of Firearms

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A student who has possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1 or who has possessed a firearm or destructive device as defined in Va. Code § 22.1-277.07, or a firearm muffler or firearm silencer, or a pneumatic gun as defined in Va. Code § 15.2-915.4 on school property or at a school-sponsored activity may be expelled for at least one year in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may 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. 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. If it is determined by the superintendent or superintendent's designee that a disciplinary action other than expulsion is appropriate, such disciplinary action is taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

III. Students with Disabilities

- A. Students with disabilities are subject to 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 weapons violation.
 - 1. In addition to the authority granted in subsection A above, a student with a disability may also 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 carries or possesses a weapon to or at school, on school premises, or to 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, the weapon must meet the following definition:

“a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.”

Adopted: July 16, 1998
Revised: April 19, 2007
Revised: June 19, 2008

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Revised: June 16, 2011
Revised: June 26, 2014
Revised: June 30, 2015
Revised: August 6, 2020
Adopted:

Legal References: 18 U.S.C. § 930.

20 U.S.C. § 1415.

Code of Virginia, §§ 15.2-915.4, 18.2-308, 18.2-308.1, 18.2-308.7,
22.1-277.07, 22.1-277.07:1, 22.1-280.2:4.

8 VAC 20-81-10.

Cross References: GBEB Staff Weapons in School
JGD/JGE Student Suspension/Expulsion
JFC Student Conduct
JGDA Disciplining Students with Disabilities
JGDB Discipline of Students with Disabilities for Infliction of Serious
Bodily Injury

SUBSTANCE ABUSE - STUDENT ASSISTANCE PROGRAM

The primary responsibility for helping students who are involved with substance abuse lies with the students and their parents. Nevertheless, the Charlottesville City School Board strives to provide a supportive school environment for students involved with substance use or abuse.

The School Board supports substance abuse programs which vary according to individual needs. Included among these are programs for persons who desire more information, and for those who need help with intervention activities and programs.

The School Board supports efforts to help students during the school day as well as to reinforce programs provided by other sources. To that end, individual school substance abuse programs may provide group experiences, individual counseling and other programs.

Students are prohibited from possessing, using, or distributing restricted substances in accordance with Policy JFC Student Conduct.

Adopted: July 16, 1998
 Reviewed: June 19, 2008
 Revised: June 25, 2013
 Revised: August 6, 2020
 Adopted:

Legal References: Code of Virginia, 1950 as amended, §§ 22.1-78, 16.1-305.1.

Cross References:	CLA	Reporting Acts of Violence and Substance Abuse
	IGAG	Teaching about Drugs, Alcohol and Tobacco
	JFC	Student Conduct
	JFCF	Drugs in School
	JGD/JGE	Student Suspension/Expulsion
	GAE	Child Abuse and Neglect Reporting
	JO	Student Records

STUDENT CELL PHONE AND SMART DEVICE POSSESSION AND USE

Definitions

As used in this policy and related regulations.

"Bell to bell" means after the first bell rings at the start of the school day to begin instructional time until the dismissal bell rings at the end of the school day. "Bell to bell" includes lunch and time in between class periods.

"Smart device" means any personal electronic device that can connect to the internet and wirelessly collect, process, and transmit data, including smart watches and tablets.

Generally

The Charlottesville City School Board establishes age-appropriate and developmentally appropriate restrictions for student use and possession of cell phones and smart devices on school property from bell-to-bell.

The superintendent issues regulations setting forth the restrictions and procedures to be followed to effectuate this policy. Any regulations issued in accordance with this policy may include additional exemptions, including procedures for emergency communications with students.

Student Cell Phones and Smart Devices on School Property

Students are permitted to use and possess cell phones and smart devices on school property before or after bell to bell, subject to additional regulations as may be issued. Such permitted use must not result in distractions or disruptions to the learning environment, disruptive behavior, bullying, harassment, crime, or any other behavior that violates other policies, regulations or laws.

From bell to bell, students are restricted from using or possessing cell phones on school property in accordance with this policy, issued regulations, and applicable laws.

The student use of any type of unauthorized electronic or mechanical device that is not part of the instructional program is prohibited. Cell phones and similar devices are "off and away" for the entire school day (bell-to-bell: upon arrival at school through the end of the academic day). The division may implement additional requirements for phone and device storage (such as in magnetic pouches, pencil boxes, or other). Cell phone breaks will not be allowed. Video and/or audio recording of staff and/or students during the school day or school sponsored activity is prohibited. This shall include, but is not limited to: any smart device, such as cell phones, portable musical devices, laser pointers, cameras, laptop

computers, MP3 players, iPods, portable DVD players, portable TV's, smart watches, etc. Cell phones may be used at school sponsored activities after regular school hours. However, cell phone use must not interfere with any after school activity.

If students violate the "off and away" or bell-to-bell expectations, they will be asked to relinquish their phone to administration for the remainder of the day. If this behavior continues, confiscated phones will only be released to parents / guardians at the end of the day.

Students who are found to have recorded fights or used their phone in other inappropriate ways may lose their phone privileges for up to a year and are subject to other disciplinary actions.

Exemptions

Any student who, pursuant to an Individualized Education Plan, Section 504 Plan, individualized health care plan, or Limited English Proficiency plan, is permitted to possess and use a cell phone or smart device on school property, including in the classroom, from bell to bell to monitor or address a health concern or as an accommodation or assistive technology support.

Implementation and Enforcement

The superintendent and the school administration of each elementary and secondary school in the division are responsible for implementing and enforcing this policy. Any implementation and enforcement of this policy minimizes, to the extent possible, any conflict with the instructional responsibilities of teachers or any disturbance to instructional time and does not involve any school resource officer employed in any school in the division.

Discipline of Students

No student will be suspended or expelled solely for a violation of this policy. Any violation of this policy that involves, coincides with, or results in an instance of disruptive behavior, bullying, harassment, crime, or any other behavior that violates other policies, regulations or laws, is subject to discipline, addressed in accordance with the Standards of Student Conduct and applicable policies and regulations.

Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.3:1, 22.1-276.01, 22.1-277, 22.1-279.6.

Cross References:	GAB/IIBEA	Acceptable Computer System Use
	JFC	Student Conduct
	JFCA	Teacher Removal of Students from Class
	JFG	Search and Seizure
	JFHA/GBA	Prohibition Against Harassment and Retaliation
	JGD/JGE	Student Suspension/Expulsion
	JGDA	Disciplining Students with Disabilities
	JRCA	School Service Providers' Use of Student Personal Information

STUDENT HEALTH SERVICES

The Charlottesville City School Board may employ school nurses, physicians, physical therapists, occupational therapists and speech therapists who meet such standards as may be determined by the Board of Education. Subject to the approval of the local appropriating body, a local health department may provide personnel for health services for the school division. With the exception of school administrative personnel and employees who have the specific duty to deliver health-related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation, or dismissed on the basis of such employee's refusal to (i) perform nonemergency health-related services for students or (ii) obtain training in the administration of insulin and glucagon. However, instructional aides and clerical employees may not refuse to dispense oral medications.

For the purposes of this policy, "health-related services" means those activities which, when performed in a health care facility, must be delivered by or under the supervision of a licensed or certified professional.

Contagious Disease

Students shall be excluded from school when suffering from contagious disease. (See Policy JHCC).

Treatment of Medical Emergencies

No treatment of injuries, except first aid, will be given in the schools. Exceptions are made to this policy only in cases of medical necessity. (See Policy JHCD).

Rights of Students

The religious beliefs and constitutional rights of students shall be respected within constraints of legal requirements for health instruction, examination, and treatment.

Telehealth Services and Mental Health Teletherapy Services

Adopted: July 16, 1998
 Revised: June 19, 2008
 Revised: June 16, 2011
 Revised: July 5, 2012
 Reviewed: June 17, 2021

Adopted:

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

Cross References:	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	GCPD	Professional Staff Discipline
	GCPF	Suspension of Staff Members
	JHCA	Physical Examinations of Students
	JHCB	Student Immunizations
	JHCC	Communicable Diseases
	JHCCA	Blood Borne Contagious or Infectious Diseases
	JHCD	Administering Medicines to Students

ADMINISTERING MEDICINES TO STUDENTS

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 the student 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 the student's 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.

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 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, licensed athletic trainer under contract with the school division, 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.

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
Revised: June 19, 2008
Revised: June 16, 2011
Revised: July 5, 2012
Revised: June 20, 2017
Revised: December 5, 2019
Revised: June 17, 2021
Adopted: June 27, 2023
Adopted:

Legal References: 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.

Cross References: EBBA
Certified PersonnelJHCE
School Personnel JO

Emergency First Aid, CPR and AED
Recommendation of Medication by
Student Records

STUDENT RECORDS

Generally

The Charlottesville City School Board maintains accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

The superintendent or superintendent's designee is responsible for the collection of data, record maintenance and security, access to, and use of records, confidentiality of personally identifiable information, dissemination of information from records, and destruction of records, including the destruction of personally identifiable information regarding a student with a disability at the request of the parents. The superintendent or superintendent's designee also provides for notification of all school division personnel of policy and procedures for management of education records and notification of parents and students of their rights regarding student records, including the right to obtain, upon request, a copy of this policy.

Definitions

For the purposes of this policy, the Charlottesville City Public Schools uses the following definitions.

Authorized representative – any entity or individual designated by a state or local educational authority or an agency headed by an official listed in 34 CFR § 99.31(a)(3) to conduct, with respect to federal- or state-supported education programs, any audit or evaluation, or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

Directory information - information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include information such as the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors, and awards received, and the most recent educational institution attended. Directory information may not include the student's social security number. Directory information may include a student identification number or other unique personal identifier used by a student for accessing or communicating in electronic systems if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number, password, or other factor known or possessed only by the authorized user or a student ID number or other unique personal identifier that is displayed on a student ID badge, if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity such as a PIN or password or other factor known or possessed only by the authorized user.

Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children’s cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

Education program - any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

Education records - any information recorded in any way including handwriting, print, computer media, video or audiotape, film, microfilm, and microfiche maintained by the Charlottesville City School Board or an agent of the school division which contains information directly related to a student, except

- records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record;
- records created and maintained for law enforcement purposes by the Charlottesville City School Board’s law enforcement unit, if any. A law enforcement unit is any individual, office, department, or division of the school division that is authorized to enforce any local, state, or federal law, refer enforcement matters to appropriate authorities or maintain the physical security and safety of the school division;
- in the case of persons who are employed by the Charlottesville City School Board but who are not in attendance at a school in the division, records made and maintained in the normal course of business which relate exclusively to the person in the person’s capacity as an employee;
- records created or received after an individual is no longer in attendance and that are not directly related to the individual’s attendance as a student;
- grades on peer-graded papers before they are collected and recorded by a teacher; and
- any electronic information, such as email, even if it contains personally identifiable information regarding a student, unless a printed copy of the electronic information is placed in the student’s file or is stored electronically under an individual student’s name on a permanent and secure basis for the purpose of being maintained as an educational record. For purposes of this policy, electronic information that exists on a back-up server, a temporary archiving system, or on a temporary basis on a computer is not an education record and is not considered as being maintained **if the student or student’s parent participates in the Address Confidentiality Program pursuant to Va. Code § 2.2-515.2, the student’s street address or route number is not part of the student’s educational records..**

- Electronic communications via emails or facsimiles regarding any matter associated with a child with disabilities, including matters related to Individualized Education Plan (IEP) meetings, disciplinary actions, or service delivery, are part of the child's educational record.

Eligible student - a student who has reached age 18.

Parent - a parent of a student, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

Student - any person who is or has been in attendance at Charlottesville City Public Schools regarding whom the school division maintains education records or personally identifiable information.

Dissemination and Maintenance of Records About Court Proceedings

Adjudications of Delinquency and Notifications of Other Dispositions

The superintendent or superintendent's designee shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in Va. Code § 16.1-260.G. contained in a notice received pursuant to Va. Code § 16.1-305.1 to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.

A parent, guardian, or other person having control or charge of a student, and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 was based and the reasons therefor. The parent or guardian shall also be notified of the parent's right to review, and to request an amendment of, the student's scholastic record.

Every notice of adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260 received by the superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by the superintendent and by any others to whom the superintendent disseminates it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense

listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

If the child is not enrolled in the division when notification is received pursuant to Va. Code § 16.1-305.1, the superintendent forwards to notification to the superintendent of the school division where the child is enrolled or where the child intends to enroll, as evidenced by the division's receipt of a request from another division for the child's scholastic record.

Any notice of disposition received pursuant to Va. Code § 16.1-305.1 shall not be retained after the student has been awarded a diploma or a certificate as provided in Va. Code § 22.1-253.13:4.

Petitions and Reports

The superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to Va. Code § 16.1-260 or report received pursuant to Va. Code § 66-25.2:1 except as follows:

- If the juvenile is not enrolled as a student in a public school in the division to which the notice or report was given, the superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed or the Director of the Department which sent the report and may forward the notice of petition or report to the superintendent of the division in which the juvenile is enrolled, if known.
- Prior to receipt of the notice of disposition in accordance with Va. Code § 16.1-305.1 the superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel within the division. The principal may further disseminate the information regarding a petition, after the student has been taken into custody, whether or not the child has been released, only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.
- If the superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, the superintendent may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Protective Orders and Orders Prohibiting Contact with a Child

Any school principal who receives notice that a circuit court, general district court, juvenile and domestic relations district court, or magistrate has issued a protective order for the protection of any child who is enrolled at the school, or any other order prohibiting contact with such a child, notifies licensed instructional personnel and other school personnel who (i) provide direct educational or support services to the protected child or the child subject to the order, (ii) have a legitimate educational interest in such information, and (iii) are responsible for the direct supervision of the protected child or the child subject to the order that such order has been issued.

Notifications

Annual FERPA Notification

The school division annually notifies parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) including

- the right to inspect and review the student's education records and the procedure for exercising this right;
- the right to request amendment of the student's education records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;
- the type of information designated as directory information, if any, and the right to opt out of release of directory information;
- that the school division releases records to other institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- the right to opt out of the release of the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- a specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- the right to file complaints with the Office of the Chief Privacy Officer in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

Notification Regarding Special Education Records

After a child with a disability graduates, ages out of, or otherwise leaves any public school, the school retains the special education records of the child for at least seven years. The school

notifies the parents of each such child of the opportunity to obtain such records during the retention period.

Procedure to Inspect Education Records

Parents of students or eligible students may inspect and review the student's education records within a reasonable period of time, which shall not exceed 45 days, and before any meeting regarding an IEP or hearing involving a student with a disability. Further, parents have the right to a response from the school division to reasonable requests for explanations and interpretations of the education record.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records the parent wishes to inspect.

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

Copies of Education Records

The Charlottesville City Public Schools will not provide a parent or eligible student a copy of the student's education record unless failure to do so would effectively prevent the parent or eligible student from exercising the right to inspect and review the records.

Fees for Copies of Records

Fees for copies are charged in accordance with state and federal law and regulations, including the Virginia Freedom of Information Act and FERPA.

Types, Locations, and Custodians of Education Records

The Charlottesville City Public Schools shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

The following is a list of the types of records that the Charlottesville City Public Schools maintain, their locations, and their custodians.

Types	Location	Custodian	Information
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Types Demographics	Custodian Principal/Designee	Information: Student ID, address, living arrangements, ethnicity, etc.
Standardized test scores	Principal/Designee	CogAT scores, SOL scores, any additional test scores
Attendance	Principal/Designee	Withdrawal/reentry history
Special Education	Principal/Designee	Evaluations, eligibility
Federal Program	Principal/Designee	Title I evaluations and reports
Free/Reduced meal info	Principal/Designee	Eligibility for programs
Discipline	Principal/Designee	Discipline referrals and/or notifications
Promotion	Principal/Designee	Grades, transcripts
Graduation Data	Principal/Designee	Transcripts

Disclosure of Education Records

The Charlottesville City Public Schools discloses education records or personally identifiable information contained therein only with the written consent of the parent or eligible student except as authorized by law. Exceptions which permit the school division to disclose education record information without consent include the following.

1. To school officials who have a legitimate educational interest in the records.
A school official is:
 - a person employed by the School Board
 - a person appointed or elected to the School Board
 - a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist
 - a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records

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A school official has a legitimate educational interest if the official is:

- performing a task that is specified in the official's position description or by a contract agreement
 - performing a task related to a student's education
 - performing a task related to the discipline of a student
 - providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid
2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. When a pupil transfers from one school division to another, the scholastic record or a copy of the scholastic record and a copy of the complete student disciplinary record, including copies of any relevant correspondence sent to the pupil or pupil's parent and copies of any correspondence and documentation relating to the pupil's placement in an alternative education program pursuant to Va. Code § 22.1-209.1:2 or Va. Code § 22.1-277.2:1, is transferred to the school division to which the pupil transfers if requested by such school division.
 3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
 4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
 5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or principal's designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of the law-enforcement or correctional personnel's duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or principal's designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
 6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than

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representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which

- specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
7. To accrediting organizations to carry out their functions.
 8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
 9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
 10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
 - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 - the parties to whom the division disclosed the information.
 11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
 12. Directory information so designated by the school division, if any.
 13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

The school division discloses or makes available to a guardian ad litem, on request, any information, records, or reports concerning a student for whom a petition for guardianship or conservatorship has been filed that the guardian ad litem determines are necessary to perform the guardian ad litem's duties under Va. Code § 64.2-2003.

The school division will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom it discloses personally identifiable information from education records.

Unauthorized Disclosure of Electronic Records

In cases in which electronic records containing personally identifiable information are reasonably believed to have been disclosed in violation federal or state law applicable to such information, the school division shall notify, as soon as practicable, the parent of any student affected by such disclosure, except as otherwise provided in Va. Code §§ 32.1-127.1:05 or 18.2-186.6. Such notification shall include the (i) date, estimated date, or date range of the disclosure; (ii) type of information that was or is reasonably believed to have been disclosed; and (iii) remedial measures taken or planned in response to the disclosure.

Disclosure to Federal Agencies

Notwithstanding any other provision of law or policy, no member or employee of the Charlottesville City School Board will transmit personally identifiable information, as that term is defined in FERPA and related regulations, from a student's record to a federal government agency or an authorized representative of such agency except as required by federal law or regulation.

Disclosure of Information Relating to Home Instructed Students

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § 22.1-254. However, the superintendent or School Board may disclose, with the written consent of a student's parent, such information to the extent provided by the parent's consent. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Audit or Evaluation of Education Programs

Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the federal Secretary of Education, and state and local educational authorities may have access to education records in connection with an audit or evaluation of federal- or state- supported education programs, or for the enforcement of or compliance with federal legal requirements that relate to those programs.

Any authorized representative other than an employee must be designated by a written agreement which

- designates the individual or entity as an authorized representative;

- specifies the personally identifiable information to be disclosed, specifies that the purposes for which the personally identifiable information is disclosed to the authorized representative is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or comply with federal legal requirements that relate to those programs; and specifies a description of the activity with sufficient specificity to make clear that the work falls within the exception of 34 CFR § 99.31(a)(3) including a description of how the personally identifiable information will be used;
- requires the authorized representative to destroy personally identifiable information when the information is no longer needed for the purpose specified;
- specifies the time period in which the information must be destroyed; and
- establishes policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personally identifiable information from further disclosure and unauthorized use, including limiting use of personally identifiable information to only authorized representatives with legitimate interests in the audit or evaluation of a federal- or state-supported education program or for compliance or enforcement of federal legal requirements related to such programs.

Military Recruiters and Institutions of Higher Learning

The Charlottesville City Public Schools provides, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses and telephone listings unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student. The school division notifies parents of the option to make a request and complies with any request.

The school division provides military recruiters the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students.

Record of Disclosure

The Charlottesville City Public Schools maintains a record, kept with the education records of each student, indicating all individuals (except school officials who have a legitimate educational interest in the records), agencies or organizations which request or obtain access to a student's education records. The record will indicate specifically the legitimate interest the party had in obtaining the information. The record of access will be available only to parents, to the school official and the official's assistants who are responsible for the custody of such records and to persons or organizations which audit the operation of the system.

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant

Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

Personal information will only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student. If a third party permits access to information, or fails to destroy information, the division will not permit access to information from education records to that third party for a period of at least five years.

Directory Information

The Charlottesville City School Board notifies parents and eligible students at the beginning of each school year what information, if any, it has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that the parent or eligible student does not want any or all of those types of information designated as directory information. The notice may specify that disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the School Board specifies that disclosure of directory information will be so limited, the disclosures of directory information will be limited to those specified in the public notice.

No school discloses the address, telephone number, or email address of a student pursuant to the Virginia Freedom of Information Act unless the parent or eligible student affirmatively consents in writing to such disclosure. Except as required by state or federal law, no school discloses the address, telephone number, or email address of a student pursuant to 34 C.F.R. § 99.31(a)(11) unless (a) the disclosure is to students enrolled in the school or to school board employees for educational purposes or school business and the parent or eligible student has not opted out of such disclosure in accordance with Virginia law and this policy or (b) the parent or eligible student has affirmatively consented in writing to such disclosure.

Parents and eligible students may not use the right to opt out of directory information disclosures to 1) prevent disclosure of the student's name, identifier or institutional email address in a class in which the student is enrolled; or 2) prevent an educational agency or institution from requiring the student to wear, to display publicly or to disclose a student ID card or badge that exhibits information designated as directory information and that has been properly designated as directory information.

Charlottesville City School Board designates the following as directory information:

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams

- Electronic mail address
- Photograph
- Degrees, honors, and awards received
- Date of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

Correction of Education Records

The procedures for the amendment of records that a parent or eligible student believes to be inaccurate are as follows.

1. Parents or the eligible student must request in writing that the Charlottesville City Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
2. CHARLOTTESVILLE CITY Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading or in violation of the student's rights.
3. Upon request, Charlottesville City Public Schools shall arrange for a hearing, and notify the parents or eligible student, reasonably in advance, of the date, place and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
4. The parent or eligible student may, at the parent's or student's own expense, be assisted or represented by one or more individuals of the parent's or student's own choice, including an attorney.
5. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
6. Charlottesville City Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of time after the hearing. The decision will be based solely on the evidence presented at the hearing.
7. If Charlottesville City Public Schools decides that the information is inaccurate, misleading or in violation of the student's right of privacy, it

- shall amend (including expungement) the record and notify the parents or eligible student, in writing, that the record has been amended.
8. If Charlottesville City Public Schools decides that the challenged information is not inaccurate, misleading or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

Confidentiality of HIV and Drug and Alcohol Treatment Records

The Charlottesville City Public Schools complies with the confidentiality requirements of Va. Code § 32.1-36.1 providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division maintains confidentiality of drug and alcohol treatment records as required by federal and state law.

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20 U.S.C. §§ 1232g, 7908.

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42 U.S.C. § 290dd-2.

34 C.F.R. 99.3, 99.7, 99.10, 99.11, 99.20, 99.21, 99.22, 99.31, 99.32, 99.33, 99.34, 99.35, 99.36, 99.37, 300.617.

Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3705.4, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-23.3, 22.1-254.1, 22.1-279.3:2, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23.1-405, 32.1-36.1, 64.2-2003.

8 VAC 20-81-170.

Cross Refs.:	IGBA	Programs for Students with Disabilities
	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JHCB	Student Immunizations
	JHCD	Administering Medicines to Students
	JOA	Student Transcripts
	JRCA	School Service Providers' Use of Student Personal Information
	KBA	Requests for Public Records
	KBA-R	Requests for Public Records
	KBA-E	Rights & Responsibilities
	KBC	Media Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction
	LEB	Advanced/Alternative Courses for Credit

SCHOOL SERVICE PROVIDERS' USE OF STUDENT PERSONAL INFORMATION

Definitions

For the purposes of this policy:

"Elementary and secondary school purposes" means purposes that (i) customarily take place at the direction of an elementary or secondary school, elementary or secondary school teacher, or school division; (ii) aid in the administration of school activities, including instruction in the classroom or at home; administrative activities; and collaboration between students, school personnel or parents; or (iii) are otherwise for the use and benefit of an elementary or secondary school.

"Machine-readable format" means a structured format that can automatically be read and processed by a computer such as comma-separated values (CSV), JavaScript Object Notation (JSON) or Extensible Markup Language (XML). "Machine-readable format" does not include portable document format (PDF).

"Personal profile" does not include account information that is collected and retained by a school service provider and remains under control of a student, parent or elementary or secondary school.

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school. "School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

"School service" means a website, mobile application or online service that (i) is designed and marketed primarily for use in elementary or secondary schools; (ii) is used (a) at the direction of teachers or other employees at elementary or secondary schools or (b) by any school-affiliated entity; and (iii) collects and maintains, uses or shares student personal information. "School service" does not include a website, mobile application or online service that is (a) used for the purposes of college and career readiness assessment or (b) designed and marketed for use by individuals or entities generally, even if it is also marketed for use in elementary or secondary schools.

"School service provider" means an entity that operates a school service pursuant to a contract with the school division.

"Student personal information" means information collected through a school service that identifies a currently or formerly enrolled individual student or is linked to information that identifies a currently or formerly enrolled individual student.

"Targeted advertising" means advertising that is presented to a student and selected on the basis of information obtained or inferred over time from such student's online behavior, use of

applications, or sharing of student personal information. "Targeted advertising" does not include advertising (i) that is presented to a student at an online location (a) on the basis of such student's online behavior, use of applications or sharing of student personal information during his current visit to that online location or (b) in response to that student's request for information or feedback and (ii) for which a student's online activities or requests are not retained over time for the purpose of subsequent advertising.

Required Contract Terms

The contract between a school service provider and the School Board shall require the school service provider

- to provide clear and easy-to-understand information about the types of student personal information it collects through any school service and how it maintains, uses or shares such student personal information;
- to maintain a policy for the privacy of student personal information for each school service and provide prominent notice before making material changes to its policy for the privacy of student personal information for the relevant school service;
- to maintain a comprehensive information security program that is reasonably designed to protect the security, privacy, confidentiality and integrity of student personal information and makes use of appropriate administrative, technological and physical safeguards;
- to facilitate access to and correction of student personal information by each student whose student personal information has been collected, maintained, used or shared by the school service provider, or by such student's parent, either directly or through the student's school or teacher;
- to collect, maintain, use and share student personal information only with the consent of the student or, if the student is less than 18 years of age, his parent or for the purposes authorized in the contract between the School Board and the school service provider;
- when it collects student personal information directly from the student, to obtain the consent of the student or, if the student is less than 18 years of age, his parent before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service, and when it collects student personal information from an individual or entity other than the student, to obtain the consent of the school division before using student personal information in a manner that is inconsistent with its policy for the privacy of student personal information for the relevant school service;
- to require any successor entity or third party with whom it contracts to abide by its policy for the privacy of student personal information and comprehensive information security program before accessing student personal information;
- to require that, upon the request of the school or School Board, the school service provider will delete student personal information within a reasonable period of time after such request unless the student or, if the student is less than 18 years of age, his parent consents to the maintenance of the student personal information by the school service provider; and
- to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. Contracts between local school boards and school

service providers may require that such electronic copy be in a machine-readable format.

The contract will also prohibit the school service provider from knowingly

- using or sharing any student personal information for the purpose of targeted advertising to students;
- using or sharing any student personal information to create a personal profile of a student other than for elementary and secondary school purposes authorized by the school division, with the consent of the student or, if the student is less than 18 years of age, his parent, or as otherwise authorized in the contract between the school division and the school service provider; or
- selling student personal information except to the extent that such student personal information is sold to or acquired by a successor entity that purchases, merges with or otherwise acquires the school service provider.

Nothing in this policy shall be construed to prohibit school service providers from

- using student personal information for purposes of adaptive learning, personalized learning or customized education;
- using student personal information for maintaining, developing, supporting, improving or diagnosing the school service;
- providing recommendations for employment, school, educational or other learning purposes within a school service when such recommendation is not determined in whole or in part by payment or other consideration from a third party;
- disclosing student personal information to (i) ensure legal or regulatory compliance, (ii) protect against liability or (iii) protect the security or integrity of its school service; or
- disclosing student personal information pursuant to a contract with a service provider, provided that the school service provider (i) contractually prohibits the service provider from using any student personal information for any purpose other than providing the contracted service to or on behalf of the school service provider, (ii) contractually prohibits the service provider from disclosing any student personal information provided by the school service provider to any third party unless such disclosure is permitted by Va. Code § 22.1-289.01(B)(7) and (iii) requires the service provider to comply with the requirements set forth Va. Code § 22.1-289.01(B) and the prohibitions set forth in Va. Code § 22.1-289.01(C).

Nothing in this policy shall be construed to:

- impose a duty upon a provider of an electronic store, gateway, marketplace, forum or means for purchasing or downloading software or applications to review or enforce compliance with this policy with regard to any school service provider whose school service is available for purchase or download on such electronic store, gateway, marketplace, forum or means;
- impose liability on an interactive computer service, as that term is defined in 47 U.S.C. § 230(f), for content provided by another individual; or
- prohibit any student from downloading, exporting, transferring, saving or maintaining his personal information, data or documents.

Adopted: June 27, 2016
Revised: June 20, 2017
Revised: August 4, 2022
Adopted:

Legal References: Code of Virginia, 1950, as amended, § 22.1-289.01.

Cross References: ET Educational Technology Foundation and Public
School Foundations
JO Student Records
KMA Relations with Parent Organizations

REQUESTS FOR PUBLIC RECORDS

Charlottesville City School Board complies with the Virginia Freedom of Information Act (FOIA). Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. All requests for information are processed in accordance with KBA-R Requests for Public Records.

The name(s) and contact information for the person(s) Charlottesville City School Board has designated as its Freedom of Information Act (FOIA) Officer(s)¹ is listed in regulation KBA-R Requests for Public Records and posted at the School Board office and on the division's website. The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA officer(s) receive(s) training at least annually from the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

Adopted: December 15, 2005
Revised: February 21, 2008
Reviewed: June 25, 2013
Revised: June 27, 2016
Revised: June 20, 2017
Revised: August 1, 2019
Revised: August 6, 2020
Revised: August 4, 2022
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2.

Cross References: KBA-E Rights and Responsibilities
KBA-R Requests for Public Records

¹FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY

Each school board may name one or more FOIA Officers. The name and contact information of the FOIA Officer(s) must be made available in a way reasonably calculated to provide notice to the public, including posting at the school board office, posting on the school board's website or including the information in school board publications.

NOTIFICATION OF SCHOOL-CONNECTED STUDENT OVERDOSE

Definitions

As used in this policy,

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance.

"School-connected student overdose" means any overdose of a student enrolled in a school in the division that occurs (i) on the premises of such school during regular school hours or (ii) during school-sanctioned activities whether on or off the premises of such school.

"Suspected school-connected student overdose" means a school-connected student overdose that is believed to have occurred and for which the response is the administration of naloxone, another opioid antagonist, or another similar medication with the intent to counter or temporarily reverse the effects of such overdose.

Parent Notification

Through the regular method of communication used for schoolwide notifications and within 24 hours of the earlier of (i) law enforcement or medical personnel confirming a school-connected student overdose or (ii) the school principal having knowledge of a suspected school-connected student overdose, the school principal or principal's designee notifies the parent of each student enrolled in the relevant school of such school-connected student overdose or suspected school-connected overdose.

The notification includes information, to the extent it is known at the time of the notification, about the name or any identifiable features of the controlled substance and whether the confirmed or suspected overdose occurred on school premises during regular school hours or during school-sanctioned activities whether on or off school premises.

If any inaccuracies of the initial notification are subsequently discovered, the principal or principal's designee provides an updated notification to the parent of each student in the relevant school to correct any such inaccuracies.

Privacy

The Charlottesville City School Board, Superintendent, principals, school administrators, and employees will take reasonable steps to protect the privacy and dignity of individuals involved in any confirmed or suspected school-connected student overdose.

Any notification provided in accordance with this policy will ensure sensitivity to the privacy interests of affected individuals and compliance with any applicable law, rules, or regulations relating to the disclosure and protection of a student's personal, confidential, or otherwise

sensitive information, including compliance with the federal Family Educational Rights and Privacy Act (FERPA) and related regulations.

Adopted:

Legal References: 20 U.S.C. § 1232g.
Code of Virginia, § 22.1-272.1:1.

<u>Cross References:</u>	<u>EB</u>	<u>School Crisis, Emergency Management, and Medical</u>
		<u>Emergency Response Plan</u>
	<u>EBBA</u>	<u>Emergency First Aid, CPR and AED Certified</u>
		<u>Personnel</u>
	<u>EBBC</u>	<u>Opioid Antagonists</u>
	<u>GBEA</u>	<u>Unlawful Manufacture, Distribution, Dispensing,</u>
		<u>Possession or Use of a Controlled Substance</u>
	<u>IGAG</u>	<u>Teaching About Drugs, Alcohol and Tobacco</u>
	<u>JHCD</u>	<u>Administering Medicines to Students</u>
	<u>JO</u>	<u>Student Records</u>
	<u>KP</u>	<u>Parental Rights and Responsibilities</u>

COMMERCIAL, PROMOTIONAL AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS

Generally

The Charlottesville City School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the Board. For that reason, the Charlottesville City School Board may enter into commercial, promotional and corporate sponsorship and partnership arrangements under certain conditions.

Definitions

An **“educational partnership”** is a mutually beneficial, co-operative relationship in which partners share values, objectives and/or human or financial resources to enhance learning for students.

An **“educational sponsorship”** is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services or other benefits in exchange for recognition of its products or entity for a specified period of time.

Authority to Enter into Agreements

On behalf of the School Board, principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed \$5,000 in value to the school.

On behalf of the School Board, the superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds \$5,000 in value.

The School Board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the Board determines should be considered by the Committee. The School Board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the Committee rather than by a principal or the superintendent. If the Committee’s decision regarding the proposed sponsorship or partnership is not unanimous, the decision may be appealed to the School Board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

Requirements

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.

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- A statement that the School Board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.
- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the School Board and the partner or sponsor whose agreement has been terminated for a specified period of time.
- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and, if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the School Board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or School Board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or School Board must approve its identification as a partner or co-sponsor in all publicity materials.
- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or School Board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, School Board employee, School Board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances, school division policies and regulations, and all preexisting School Board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the sponsor or partner must certify that all such persons have not 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 or physical or sexual abuse or rape of a child, or the solicitation of any such offense, or any crime of moral turpitude.

- A statement that if the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the individuals acting on behalf of the partner or sponsor may have 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, or the solicitation of any such offense, provided that in the case of a felony conviction, the individual's civil rights have been restored by the Governor.
- A statement that no partnership or sponsorship shall exploit any student or School Board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or School Board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or School Board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or School Board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the School Board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

Prohibitions

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or School Board policy;
- promotion of the use of drugs, alcohol, tobacco products, nicotine vapor products, or firearms;
- promotion of sexual, obscene or pornographic activities; or
- promotion of any image that is not in keeping with the established goals and purposes of the School Board.

Adopted: February 21, 2008
Revised: June 18, 2009

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Revised: June 26, 2014
Revised: August 1, 2019
Revised: August 6, 2020
Adopted: June 27, 2023
Adopted:

Legal References: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-89.4, 22.1-296.1.

Cross References:	DJF	Purchasing Procedures
	DJG	Vendor Relations
	DO	Non-Locally Funded Programs
	IIAA	Textbook Selection, Adoption, and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	IICB/IICC	Community Resource Persons/School Volunteers
	JFCB	Sportsmanship, Ethics and Integrity
	JHCF	Student Wellness
	JL	Fund Raising and Solicitation
	KA	Goals for School-Community Relations
	KH	Public Gifts to the School
	KLB	Public Complaints about Learning Resources

HOME INSTRUCTION

GENERALLY

The Charlottesville City School Board recognizes that when the requirements of Va. Code § 22.1-254.1 are complied with instruction of children by their parents is an acceptable alternative form of education under the policy of the Commonwealth of Virginia. Any parent of any child who is five years or older on or before September 30 of any school year and which child is not yet eighteen years old may elect to provide home instruction in lieu of school attendance if the parent:

- holds a high school diploma;
- is a teacher of qualifications prescribed by the Board of Education;
- provides the child with a program of study or curriculum which may be delivered through a correspondence course or distance learning program or in any other manner; or
- provides evidence that the parent is able to provide an adequate education for the child.

DEFINITION

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

NOTIFICATION BY PARENTS

Any parent who elects to provide home instruction in lieu of school attendance shall annually notify the superintendent no later than August 15 of the parent's intention to so instruct the child and provide a description of the curriculum, limited to a list of subjects to be studied during the coming year and evidence of having met one of the criteria for providing home instruction. Any parent who moves into a school division or begins home instruction after the school year has begun shall notify the superintendent of the parent's intention to provide home instruction as soon as practicable and shall comply with the requirements of this policy within thirty days of such notice. The superintendent shall notify the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

EVIDENCE OF PROGRESS

A parent who elects to provide home instruction to a child who is over the age of six as of September 30 of the school year shall provide the superintendent by August 1 following the school year in which the child has received home instruction with either (i) evidence that the child has attained a composite score in or above the fourth stanine any nationally normed standardized achievement test or an equivalent score on the ACT, SAT or PSAT test or (ii) an evaluation or assessment that the superintendent determines to indicate that the child is achieving an adequate level of educational growth and progress, including: (a) an evaluation letter from a person licensed to teach in any state, or a person with a master's degree or higher in an academic discipline, having knowledge of the child's academic progress, stating that the

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child is achieving an adequate level of educational growth and progress; or (b) a report card or transcript from a community college or college, college distance learning program or home-education correspondence school.

In the event that evidence of progress as required in this subsection is not provided by the parent, the home instruction program for that child may be placed on probation for one year. Parents shall file with the superintendent evidence of their ability to provide an adequate education for their child and a remediation plan for the probationary year which indicates their program is designed to address any educational deficiency. Upon acceptance of such evidence and plan by the superintendent, the home instruction may continue for one probationary year. If the remediation plan and evidence are not accepted or the required evidence of progress is not provided by August 1 following the probationary year, home instruction shall cease and the parent shall make other arrangements for the education of the child which comply with Va. Code § 22.1-254.

IMMUNIZATIONS

Any parent, guardian or other person having control or charge of a child being home instructed, exempted or excused from school attendance shall comply with the immunization requirements provided in Va. Code § 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Upon request by the superintendent, the parent shall submit to the superintendent documentary proof of immunization in compliance with Va. Code § 32.1-46.

No proof of immunization shall be required of any child upon submission of (i) an affidavit to the superintendent stating that the administration of immunizing agents conflicts with the parent's or guardian's religious tenets or practices or (ii) a written certification from a licensed physician, physician assistant, licensed advanced practice registered nurse, or local health department that one or more of the required immunizations may be detrimental to the child's health, indicating the specific nature of the medical condition or circumstance that contraindicates immunization.

NOTIFICATION TO PARENTS

Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) and PreACT examinations are available to students receiving home instruction pursuant to Va. Code § 22.1-254.1. The superintendent establishes a schedule identifying the dates by which students receiving home instruction must register to participate in such examinations. The superintendent notifies students receiving home instruction and their parents of the registration deadlines and the availability of financial assistance to low-income and needy students to take such examinations.

DISCLOSURE OF INFORMATION

Neither the superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by

a parent or student to satisfy the requirements of this policy or subdivision B 1 of Va. Code § 22.1-254 without express consent from the parent or legal guardian of the child receiving home instruction. Nothing in this policy prohibits the superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

JROTC MEMBERSHIP FOR HOMESCHOOLED STUDENTS

Homeschooled students who reside in the division and who are otherwise eligible for membership in a Junior Reserve Officers' Training Corp (JROTC) unit maintained by a secondary school but for their lack of enrollment in the division are permitted to be members of the unit.

Homeschooled students who are members in a division JROTC unit is required to conduct themselves in a manner consistent with established standards for student behavior and must comply with behavioral, disciplinary, attendance and other policies and rules applicable to all students, including rules governing the use of the division's computer systems. If a student fails to comply, the school may withhold credit and/or terminate the student's participation in addition to taking any disciplinary action that would be taken against a full-time student for similar conduct.

Adopted: June 19, 2008
 Revised: June 16, 2011
 Revised: June 30, 2015
 Revised: June 20, 2017
 Revised: August 6, 2020
 Adopted:

Legal References: 10 U.S.C. § 2031.

Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-254, 22.1-254.1, 22.1-271.4, 32.1-46, 54.1-2952.2. Cross References: IIBEA Acceptable Computer System Use

JEA	Compulsory Attendance
JECB	Admission of Nonpublic Students for Part-Time Enrollment
JEG	Exclusions for Exemptions from School Attendance
JHCB	Student Immunizations
JFC	Student Conduct
JO	Student Records

CHARTER SCHOOLS

Purpose

In order to (1) encourage the development of innovative programs; (2) provide opportunities for innovative instruction and student assessment; (3) provide parents and students more choices; (4) provide innovative scheduling, structure and management; (5) encourage the use of performance-based educational programs; (6) establish high standards for teachers and administrators; and (7) develop models for replication in other public schools, the Charlottesville City School Board receives and considers applications for the establishment of charter schools.

Definition of Charter School

A charter school is a public, nonreligious or non-home-based alternative school located within the Charlottesville City School Division or operated jointly by multiple school divisions. A charter school may be created as a new school or by converting all or part of an existing public school. Conversions of private schools or home-based programs are not permitted. A charter school for at-risk pupils may be established as a residential school.

In establishing public charter schools within the division, the School Board gives priority to public charter school applications designed to increase the educational opportunities of at-risk students. At least one half of the public charter schools in the division must be designed for at-risk students. However, conversions of existing public schools into public charter schools that serve the same community as the existing public school do not count in the determination of school division compliance with the one-half requirement.

Enrollment in a charter school is open to any child who resides within the school division or, in the case of a regional public charter school, within any of the relevant school divisions, through a lottery process on a space-available basis, except that in the case of the conversion of an existing public school, students who attend the school and the siblings of such students are given the opportunity to enroll in advance of the lottery process. Students eligible to enroll in the school division pursuant to Va. Code § 22.1-3.B because they are the children of military personnel on active military duty who will reside in the division may participate in the lottery process for charter schools in the division at the same time and in the same manner as students who reside in the division.

Public charter schools are subject to all federal laws and authorities as set forth in law and the charter contract. Public charter schools are subject to the same civil rights, health and safety requirements applicable to other public schools in the Commonwealth, except as otherwise provided by law.

Public charter schools are subject to the student assessment and accountability requirements applicable to other public schools. Nothing precludes a public charter school from establishing additional student assessment measures that go beyond state requirements if the School Board approves such measures.

Management committees of public charter schools are subject to and shall comply with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

No public charter school shall discriminate against any individual on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry, or need for special education services or any other unlawful basis, and each public charter school shall be subject to any court-ordered desegregation plan in effect for the school division.

No public charter school shall discriminate against any student on the basis of limited proficiency in English and each public charter school shall provide students who have limited proficiency in English with appropriate services designed to teach such students English and the general curriculum, consistent with federal civil rights laws.

No public charter school shall engage in any sectarian practices in its educational program, admissions or employment policies or operations.

Application Process

Any person, group or organization may submit an application for the formation of a public charter school to the Charlottesville City School Board. A complete application includes the applicant's Virginia Public Charter School Application package submitted to the Board of Education, the result of the Board of Education's review of the application and the Charter School Application Addendum (LC-E [School Division] Charter School Application Addendum). Prior to submitting a charter school application to the School Board, a public charter school applicant shall submit its proposed charter application to the Board of Education for review and comment and a determination as to whether the application meets the approval criteria developed by the Board of Education. Charter School applications initiated by the Charlottesville City School Board must conform to the Virginia Public Charter School Application. However, such applications are not required to receive Board of Education review and comment prior to action by the School Board.

The Board of Education examines all applications, other than those initiated by the School Board, for feasibility, curriculum, financial soundness and other objective criteria it may establish, consistent with existing state law. The Board of Education's review and comment is for the purpose of ensuring that the application conforms with such criteria. The school division may work with a charter school applicant before the application is submitted to the Board of Education for review and recommendation.

All public charter school applicants, other than those initiated by the School Board, must also complete the application addendum in the format provided in Exhibit LC-E [School Division] Charter School Application Addendum. The School Board shall establish a "review team" consisting of appropriate school personnel, a local business representative and a resident charter school proponent to evaluate charter school applications. The School Board shall designate the chairman of the review team as the contact person for answering questions about the application process and receiving applications. The review team shall work cooperatively with applicants for charter schools. When an application is incomplete, the review team shall request the necessary information; an incomplete application is not grounds

for denying a charter. However, if the applicant does not provide the necessary information within a reasonable timeframe (established by the review team) then the application may be denied.

The review team shall (1) recommend to the School Board appropriate criteria for reviewing charter school applications; (2) evaluate all charter school applications based on the review criteria adopted by the School Board; (3) recommend one of the following options to the School Board for each application: approve, reject, place on a waiting list or return with suggestions for improvement; (4) monitor charter school progress; and (5) make recommendations for revocation, renewal or non-renewal of charter contracts.

To provide appropriate opportunity for input from parents, teachers, citizens, and other interested parties and to obtain information to assist the School Board in its decision to grant or deny a public charter school application, the procedures will provide for public notice and the receipt of comment on public charter school applications. The School Board shall give at least 14 days' notice of its intent to receive public comment on an application. A copy of the procedures including the review criteria, shall be posted on the division's website and a copy shall be made available to any interested party upon request.

School Board Decision

If the School Board denies a public charter school application, or revokes or fails to renew a charter agreement, it shall provide to the applicant or grantee its reasons, in writing, for such decision, and it shall post such reasons on its website. A public charter school applicant whose application was denied, or a grantee whose charter was revoked or not renewed, is entitled to petition the School Board for reconsideration. The petition for reconsideration shall be filed no later than 60 days from the date the public charter school application is denied, or the charter agreement is revoked or fails to be renewed. Such reconsideration shall be decided within 60 days of the filing of the petition.

The School Board shall establish a process for reviewing petitions of reconsideration, which shall include an opportunity for public comment. The petition of reconsideration may include an amended application based on the reasons given by the School Board for such decision. Prior to seeking reconsideration, an applicant or grantee may seek technical assistance from the Superintendent of Public Instruction to address the reasons for denial, revocation or non-renewal.

Upon reconsideration, the decision of the School Board to grant or deny a public charter school application or to revoke or fail to renew a charter agreement is final and not subject to appeal. Following a decision to deny a public charter school application or to revoke or fail to renew a charter agreement, the School Board submits documentation to the Board of Education as to the rationale for the School Board's decision. The Board of Education has no authority to grant or deny a public charter school application or to revoke or fail to renew a charter agreement but may communicate any Board finding relating to the rationale for the School Board's denial of the public charter school application or revocation of or failure to renew the charter agreement based on the documentation submitted in any school division in which at least half of the schools receive funding pursuant to Title I, Part A.

Nothing in this policy prohibits an applicant whose application has been denied or a grantee whose charter has been revoked or not renewed from submitting a new application.

Charter Contract

Within 90 days of approval of a charter application, the School Board and the management committee of the approved public charter school shall execute a charter contract that clearly sets forth (i) the academic and operational performance expectations and measures by which the public charter school will be judged and (ii) the administrative relationship between the School Board and public charter school, including each party's rights and duties. The 90-day period may be extended by up to 30 days by mutual agreement of the parties. Such performance expectations and measures shall include applicable federal and state accountability requirements and may be refined or amended by mutual agreement after the public charter school has collected baseline achievement data for its enrolled students.

The academic and operational performance expectations and measures in the charter contract shall be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures and metrics that will guide the School Board's evaluations of the public charter school. The performance framework shall include indicators, measures and metrics for:

- student academic proficiency;
- student academic growth;
- achievement gaps in both proficiency and growth between the major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status;
- attendance;
- recurrent annual enrollment;
- postsecondary education readiness of high school students;
- financial performance and sustainability; and
- the performance and stewardship of the management committee, including compliance with all applicable laws, regulations and terms of the charter contract.

The performance framework shall allow the inclusion of additional rigorous, valid and reliable indicators proposed by the charter school to augment external evaluations of its performance, provided that the School Board approves the quality and rigor of such indicators.

The performance framework shall require the disaggregation of all student performance data by major student subgroups based on gender, race, poverty status, special education status, English language learner status and gifted status.

Annual performance targets shall be set by the public charter school and the School Board and shall be designed to help each school meet applicable federal, state and School Board expectations.

The charter contract shall be signed by the chairman of the School Board and the president or chairman of the public charter school's management committee. Within 10 days of executing a

charter contract, the School Board shall submit to the Board written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

No public charter school shall commence operations without a charter contract executed in accordance with this policy and approved in an open meeting of the School Board.

Waivers of School Board Policy and State Regulation

A charter school may operate free from School Board policies and state regulations, except the Standards of Quality, the Standards of Accreditation and Standards of Learning, as agreed in the charter contract. The School Board shall request from the Board of Education, on behalf of its charter schools, waivers from state regulation contained in each approved charter application. If the charter school is designed to increase the opportunities of at-risk students, then the School Board shall request that the Board of Education approve an Individual School Accreditation Plan.

Management and Operation

A charter school shall be administered and operated by a management committee in the manner agreed to in the charter contract. The management committee shall be composed of parents of students enrolled in the school, teachers and administrators working in the school and representatives of any community sponsors, or any combination thereof. A charter school shall be responsible for its own operations. However, a charter school may negotiate and contract with the School Board, or any other third party, for the provision of necessary services; services provided by the School Board must be provided at cost.

The applicant and members of the management committee, administrators, and other personnel serving in a public charter school must disclose any ownership or financial interest they may have in renovating, lending, granting, or leasing public charter school facilities.

Personnel

Charter school personnel shall be selected as agreed in the charter contract. Such personnel may, but are not required, to be employees of the School Board. However, all charter school personnel shall be subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2 and 22.1-296.4.

Professional, licensed employees currently employed by the School Board may volunteer for assignment to a charter school and may be assigned by the School Board to a charter school for one contract year and reassigned annually upon the request of the employee and management committee. Professional, licensed employees assigned to a charter school shall receive the same employment benefits as such personnel assigned to noncharter schools. Professional, licensed personnel who request assignment to a noncharter school or who are not recommended for reassignment in the charter school, other than for reasons cited in § 22.1-307 of the Code of Virginia, shall be transferred to a noncharter school according to School Board policy.

The School Board may employ health, mental health, social services and other related personnel to serve in residential charter schools for at-risk students as determined in the charter agreement. However, the School Board is not required to fund the residential or other services provided by a residential charter school.

The School Board has the final authority to assign professional, licensed personnel to charter or other schools within the division.

Funding

Charter schools shall be funded as provided by law and negotiated in the charter contract.

Revocation and Renewal of the Charter Contract

The School Board may revoke a charter contract if

- the charter school violates the conditions, standards or procedures established in the application;
- the charter school violates a material term of the charter contract (for example, failing to provide required reports to the School Board);
- the charter school fails to meet or make reasonable progress toward achievement of the content standards or student performance standards identified in the charter application;
- the charter school fails to meet generally accepted standards of fiscal management; or
- the charter school violates any provision of law from which it was not specifically exempted.

A charter contract may be renewed for up to five years. The management committee must apply to renew the charter by 180 school days before the charter expires.

The application for renewal shall contain

- a report on the progress of the charter school in achieving the goals, objectives, program and performance standards for students and other conditions and terms the School Board required in the charter
- a financial statement, on forms prescribed by the Board of Education, disclosing the costs of administration, instruction and other spending categories which is written in a way to allow the School Board and the public to compare such costs to the costs of other schools and comparable organizations
- other information the School Board may require

If a charter contract is revoked or not renewed, or a charter school is dissolved, the management committee shall be responsible for all financial obligations of the charter school.

Reports

The School Board reports the following to the Board of Education:

- the grant or denial of charter applications, applications for renewal, and the revocation of any charter contract; for any such denial, revocation or failure to renew, the report to the Board of Education contains documentation as to the reason for the denial or revocation
- whether a public charter school is designed to increase the educational opportunities of at-risk students

The Board of Education will report the number of public charter schools established in Virginia, and the number of charters denied, in its annual report to the Governor and the General Assembly.

Adopted: October 1, 1998
Revised: October 19, 2006
Reviewed: June 19, 2008
Revised: June 17, 2010
Revised: July 5, 2012
Revised: June 20, 2017
Revised: August 1, 2019
Revised: August 6, 2020
Adopted: August 1, 2024
Adopted:

Legal References: 20 U.S.C. § 6311.

Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-212.5 et seq.

Cross References:	KBA	Requests for Public Records
	KBA-F1	Request for Public Records
	KBA-F2	Record of Inspection and/or Delivery of Copies
	KBA-R	Requests for Public Records
	LC-E	[School Division] Charter School Application Addendum

CHARLOTTESVILLE CITY SCHOOLS CHARTER SCHOOL APPLICATION ADDENDUM

Any person, group or organization may submit an application for the formation of a charter school. Applicants must follow state law and School Board policy regarding charter schools. A complete Charlottesville City Schools Charter School Application ("Application") consists of (i) the Applicant's Virginia Public Charter School Application package submitted to the State Board of Education, (ii) the result of the State Board of Education's review of the Applicant's state application, and (iii) the Charlottesville City Schools Charter School Application Addendum prepared in accordance with this policy. However, Charter School applications initiated by the Charlottesville City School Board are not required to receive Board of Education review and comment prior to action by the School Board.

Applications must be received by the Chief Academic Officer on or before July 1 prior to the year in which the charter school desires to open. An original plus **[INSERT NUMBER]**¹ copies of the application must be submitted. An application fee of \$100 shall be submitted with the application. Applicants must follow the application addendum format provided below.

I. Goals and Objectives; Educational Program

Provide a statement of the goals and objectives of the proposed public charter school. The following components must be addressed:

1. A description of the performance-based goals. To the extent possible, the application should include the academic performance indicators, measures and metrics that will guide the Charlottesville City School Board's evaluations of the charter school and should include, at minimum:
 1. student academic proficiency;
 - 2. student academic growth;
 3. academic gaps in both proficiency and growth between major studentsubgroups;
 4. attendance;
 5. recurrent enrollment from year to year; and
 6. postsecondary readiness (for high schools).
2. A description of the measurable educational objectives to be achieved by the public charter school.
3. A description of the pupil performance standards and curriculum, which must meet or exceed any applicable Virginia Standards of Quality.
4. A description of how the Virginia Standards of Learning (SOL) and the corresponding SOL Curriculum Framework will be used as the foundation for

¹ The applicant should provide enough copies of the application for each stage of review.

curricula to be implemented for each grade or course in the public charter school. Include within the description how the goals and objectives of the curricula will meet or exceed the Virginia Standards of Learning, address student performance standards related to state and federal assessment standards and include measurable outcomes.

5. A description of any internal and external assessment to be used to measure pupil progress towards achievement of the school's pupil performance standards, in addition to the SOL assessments prescribed by Va. Code § 22.1-253.13:3.
6. A description of the public charter school assessment plan to obtain student performance data, which includes how the data will be used to monitor and improve achievement and how program effectiveness will be measured over a specified period of time. Also provide benchmark data on how student achievement will be measured and how these data will be established and documented in the first year of operation and how the data will be measured over each year of the term of the charter. The benchmark data should address targets for student improvement to be met in each year.
7. The timeline for achievement of pupil performance standards, in accordance with the Virginia SOL.
8. An explanation of the corrective actions to be taken in the event that pupil performance at the public charter school falls below the standards outlined in the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia*.
9. Information regarding the minimum and maximum enrollment per grade for each year during the term of the charter contract, as well as class size and structure for each grade served by the public charter school. Information regarding the proposed calendar and a sample daily schedule, including any plans to open prior to Labor Day.
10. A description of plans for identifying and successfully serving students with disabilities, English Learners, academically at-risk students and gifted and talented students which include the extent of the involvement of the School Board in providing such services.
11. If applicable, the following components should be addressed:
 1. any plans to utilize virtual learning in the educational program, including identification of the virtual learning source and a description of how virtual learning will be used and an estimate of how many students are expected to participate.
 2. a general description of any alternative accreditation plans, in accordance with the Virginia Board of Education's *Regulations Establishing Standards for Accrediting Public Schools in Virginia* (8 VAC 20-131-420), that the public charter

school will request the School Board to submit to the Virginia Board of Education for approval.

3. a general description of any alternative accreditation plan for serving students with disabilities, in accordance with the Virginia Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia* that the public charter school will request the School Board to submit to the Virginia Board of Education for approval.

II. Evidence of Support

Provide evidence that an adequate number of parents, teachers, pupils or any combination thereof, supports the formation of a public charter school. The following components must be addressed:

- Information and materials indicating how parents, the community and other stakeholders were involved in supporting the application for the public charter school.
- Tangible evidence of support for the public charter school from parents, teachers, students and residents, or any combination thereof, including but not limited to information regarding the number of persons and organizations involved in the process and petitions related to the establishment of the charter school.
- A description of how parental involvement will be used to support the education needs of the students, the school's mission and philosophy and its educational focus.

III. Statement of Need

Describe the need for a public charter school in the school division or relevant part of the school division. The following components must be addressed:

- A statement of the need for a public charter school that describes the targeted school population to be served and the reasons for locating the school in its proposed location.
- An explanation of why the public charter school is being formed. (Is the school being formed at the requests of parents or community organizations? How was the need determined? What data were examined as part of the needs assessment? Briefly describe the need and include a summary of the quantitative data.)
- An explanation of why a public charter school is an appropriate vehicle to address the identified need.

IV. Applicant Information

List the name, address, phone number and qualifications of the applicant(s) and designate an applicant contact person.

V. Facility

Describe the facility(ies) to be used for the charter school or the plan for the acquisition

of a facility. The description should address

- how the facility provides suitable instructional space;
- provisions for library services;
- provisions for the safe administration and storage of student records;
- provisions for the safe administration and storage of student medications;
- the applicant's plan for complying with building and fire codes and the federal Americans with Disabilities Act (ADA);
- information on emergency evacuation plans;
- information regarding site location and preparation;
- the structure of operation and maintenance services; and
- financial arrangements for the facility, including any lease arrangements with the School Board or other entities and whether any debt will be incurred.

If the facility is not property of the school division, then the following must be provided:

- a certificate of occupancy;
- a health inspection certificate;
- an annual fire certificate of inspection;
- proof of compliance with federal, state and local health and safety laws and regulations; and
- a copy of the lease or contract under which the charter school will use the facility.

If the facility is property of the school division, then describe plans, if any, for alteration or renovation.²

VI. Enrollment Process

Describe the enrollment process that is consistent with all federal and state laws and regulations and constitutional provisions prohibiting discrimination that are applicable to public schools and with any court-ordered desegregation plan in effect for the school division or, in the case of a regional public charter school, in effect for any of the relevant school divisions. The following components must be addressed:

- A description of the lottery process to be used for the establishment of a waiting list for students for whom space is not available.
- A description of a tailored admission policy that meets the specific mission or focus of the public charter school, if applicable.
- A timeline for when the lottery process will begin for the first academic year of enrollment and when parents will be notified of the outcome of the lottery process.
- A description of any enrollment-related policies and procedures that address special situations, such as the enrollment of siblings and children of faculty and founders and the enrollment of nonresident students, if applicable.

²FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

- An explanation of how the applicant will ensure that, consistent with the public charter school's mission and purpose, community outreach has been undertaken so that special populations are aware of the formation of the public charter school and that enrollment is open to all students residing in the school division where the public charter school is located or in school divisions participating in a regional charter school.
- A description of how the transfer of student records and other program information to and from the public charter school will be accomplished.
- A description of how students seeking enrollment after the school year begins will be accommodated.

In the case of the conversion of an existing public school, describe how students who attend the school and the siblings of such students shall be given the opportunity to enroll in advance of the lottery process.

VII. Employment Terms and Conditions

Provide an explanation of the relationship that will exist between the proposed public charter school and its employees, including evidence that the terms and conditions of employment have been addressed with affected employees. At the discretion of the School Board, charter school personnel may be employees of the School Board, or Boards, granting the charter. Any personnel not employed by the School Board shall remain subject to the provisions of Va. Code §§ 22.1-296.1, 22.1-296.2, and 22.1-296.4. The following components must be addressed:

- A plan that addresses the qualification of teachers and administrators at the public charter school, including compliance with state law and regulation regarding Virginia Board of Education licensing requirements.
- A plan to provide high-quality professional development programs.
- Provisions for the evaluation of staff at regular intervals and in accordance with state law and regulation.
- Provisions for a human resource policy for the public charter school that is consistent with state and federal law.
- Notification to all school employees of the terms and conditions of employment.

VIII. Transportation

Describe how the public charter school plans to meet the transportation needs of its pupils. The following components must be addressed:

1. A description of how the transportation of students will be provided:
 1. by the local school division;
 2. by the public charter school;
 3. by the parent(s); or
 4. though a combination of these options.

2. If transportation services will be provided by the public charter school, explain whether the school will contract for transportation with the School Board or with another entity or have its own means of transportation and indicate whether transportation will be provided to all students attending the school.
3. A description of transportation services for students with disabilities in compliance with Va. Code § 22.1-221 and the Board of Education's *Regulations Governing Special Education Programs For Children With Disabilities in Virginia*.
4. A description of transportation services for students in foster care in compliance with federal law.

IX. Residential Charter Schools

If the application is for a residential charter school for at-risk students, the following components must be addressed:

1. A description of the residential program to include:
 1. the educational program;
 2. a facilities description to include grounds, dormitories and staffing;
 3. a program for parental education and involvement;
 4. a description of after-care initiatives;
 5. the funding sources for the residential facility and other services provided;
 6. any counseling and other social services to be provided and their coordination with current state and local initiatives; and
 7. a description of enrichment activities available to students.
2. A description of how the facility will be maintained including, but not limited to:
 1. janitorial and regular maintenance services and
 2. security services to ensure the safety of students and staff.

X. Services to be Provided by the School Board

List the services and their estimated costs that the applicant wishes the School Board to provide; for example, food service, payroll or conducting criminal background checks.³ Also, list services and their estimated costs that will be provided by others.

XI. Timeline

³FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

Any services provided by the School Board must be at cost. However, service agreements between the School Board and a charter school shall not be a financial incentive or disincentive to the establishment of a charter school.

Provide a detailed timeline, identifying each step required to establish the charter school, including, but not limited to, staff hiring, location and purchase of materials, implementing the evaluation plan, obtaining necessary services, opening an appropriate facility and consulting with experts, if necessary. **Please remember that, as with establishing Regional Vocational and Governor's Schools, it will take at least 8-12 months to implement the proposal.**

XII. Health and Safety

Describe the procedures the charter school will implement to ensure the health and safety of the students and employees, including:

- how and if the management committee will conduct a state criminal record check on all employees;
- how the charter school will conduct fingerprinting and federal criminal record checks, if applicable;
- how the charter school will comply with the requirement to report child abuse; and
- how the charter school will comply with Occupational Safety & Health Act requirements.

XIII. Indemnity

Assure that the School Board will be defended, held harmless and indemnified against any claim, action, loss, damage, injury, liability, cost or expense of any kind as a result of the operation of the charter school or actions by its agents, employees, invitees or contractors.

XIV. Renewal

Assure that if the charter school wants to renew its contract, it shall apply at least six months prior to the expiration of the contract.

XV. Displacement Plans: Pupils and Employees

1. Describe the plan for the displacement of pupils, teachers and other employees who will not attend or be employed in the public charter school, in instances of the conversion of an existing public school to a public charter school, and for the placement of public charter school pupils, teachers and employees upon termination or revocation of the charter.

The following components must be addressed:

1. Identification of a member of the school's leadership who will serve as a single point of contact for all activities that may need to take place for the school to close, including but not limited to the transfer of students to another school, the management of student records and the settlement of financial obligations.
2. A notification process to parents/guardians of students attending the school and teachers and administrators of the closure date.

3. A notification process to parents/guardians of students attending the public charter school of alternative public school placements within a set time period from the date that the closure is announced.
 4. Provisions for ensuring that student records are provided to the parent/guardian or another school identified by the parent or guardian within a set time period. If the student transfers to another school division, provisions for the transfer of the student's record to the school division to which the student transfers shall be made upon request of that school division.
 5. Notification to the School Board of a list of all students in the school and the names of the schools to which these students will transfer.
 6. A placement plan for school employees that details the assistance to be provided, if any, within a set period of time from the date of closure. For teachers and administrators, the plan of assistance should address finding employment with the school division where the public charter school is located or other public school divisions.
 7. A close-out plan related to financial obligations and audits, the termination of contracts and leases, and the sale and/or disposition of assets within a set period of time from the date of closure. The plan shall include the disposition of the school records and financial accounts upon closure.
2. Describe the plan for the placement of students and employees if the charter school facility is destroyed (e.g. by flood or fire) or unable to be occupied for any reason.

XVI. Management and Operation

Describe the management and operation of the charter school, including the nature and extent of parental, professional educator and community involvement. List the names and addresses and relevant experience of the proposed management committee.⁴ This section should include:

- a detailed description of the relationship between the management committee and the School Board, including the charter school spokesperson (i.e. who is accountable to the School Board);
- how the charter school will be accountable to the public, including a plan for compliance with the Virginia Freedom of Information Act, the Virginia Public Records Act and reporting requirements;
- how the management committee is selected and its relationship to the teachers and administrators;
- a description of the rules and procedures followed to arrive at policy and operational decisions; and

⁴FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

Only parents of students in the charter school, teachers and administrators working in the charter school or representatives of any community sponsor may be members of the management committee.

- summaries of the job descriptions of key personnel, including the school leader/principal.

The following components must also be addressed:

A. An explanation of how support services will be funded and delivered. These services include, but are not limited to:

1. food services;
 2. school health services;
 3. custodial services;
 4. extracurricular activities; and
- 5. security services

B. An explanation of any partnership or contractual relationships (education management organization, food services, school health services, custodial services, security services, etc.) central to the school's operations or mission, including information regarding the relationship of all contractors to the governing board of the public charter school, and information regarding how contractors and the employees of the contractors having direct contract with students will comply with Va. Code § 22.1-296.1.

C. Plans for recruiting and developing school leadership and staff.

XVII. Financial Plan: Evidence of Economical Soundness, Proposed Budget and Annual Audit

Provide a budget and any other information that illustrates the proposed charter school is economically sound for both the charter school and the school division.⁵ Include detailed sources of revenue and expenditures for the proposed term of the charter (at most five years) and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the school division, will be conducted.⁶ Anticipated gifts, grants or donations and a student fee schedule should be included.⁷ The following components must also be included:

⁵FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

See review criteria related to the Financial Plan.

⁶ This section should include the manner in which the school division can ensure fiscal and administrative compliance with the charter.

⁷ Although a charter school may not charge tuition, student fees may be assessed in accordance with Board of Education Regulations, 8 VAC 20-720-80.

- Proposed start-up and three-year budgets with clearly stated assumptions and information regarding projected revenues and expenditures.
- Proposed start-up and three-year cash flow projections with clearly stated assumptions and indications of short- and long-term sources of revenue.
- A proposed funding agreement with the School Board including information regarding anticipated local, state and federal per-pupil-amounts to be received and any information pertaining to the maintenance of facilities. In accordance with Va. Code § 22.1-212.14, the per pupil funding provided to the charter school will be negotiated in the charter agreement and will be commensurate with the average school-based costs of educating the students in the existing schools in the division or divisions unless the cost of operating the charter school is less than that average school-based cost. To the extent discussions have been held with the school division, please describe the outcome of those discussions. If there have been no discussions to date, please indicate the reason.

XVIII. Legal Liability and Insurance Coverage

Describe the proposed arrangement between the charter school and the School Board regarding their respective legal liability and applicable insurance coverage, including the types of insurance that will be obtained for the public charter school, its property, its employees, the charter school management committee and the School Board and its agents and the levels of insurance sought. Types of insurance include, but are not limited to,

- general liability;
- health;
- property;
- property and casualty (including vehicle coverage);
- officer and employee liability; and
- workers' compensation.⁸

XIX. Disclosures

Disclose ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the proposed public charter school, and require that the applicant and the governing body, administrators, and other personnel of the public charter school shall have a continuing duty to disclose such interests during the term of the charter. The following components must be addressed:

- A description of how the applicant and members of the management committee will disclose any ownership or financial interest.
- Information regarding the frequency by which such disclosures will be made during the term of the charter.

⁸FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

Although not required by law, it may be prudent to have the charter school agree to indemnify the School Board. See section XXIII below. Also, the School Board may wish to ask for evidence of insurability or as a condition of final approval, copies of purchased insurance plans or, the School Board may carry charter school insurance under its existing policies.

- A description of ownership or financial interest of the applicant and/or members of the management committee in the proposed charter school. This includes any relationships that parties may have with vendors performing services at the school.

XX. Waivers⁹

Describe and justify any waiver from School Board policies and state regulations that the charter school requests. The Standards of Quality, and by reference the Standards of Accreditation and Standards of Learning, may not be waived. **Please note that state law only allows waivers of policy and regulation. No waiver of state statutes or federal statutes or regulations is permitted.**

XXI. Discrimination

Assure that the charter school will follow state and federal law prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender, gender identity, national origin, religion, ancestry, or the need for special education services and shall be subject to any court-ordered desegregation plan in effect in the school division.

XXII. Assurance

By signing and submitting this application for a public charter school, the applicant expressly assures the School Board that if the application is approved by the School Board, the school leadership of the public charter school will be retained on contract no later than 60 days prior to the opening date of the school.

XXIII. Signatures

The Applicant hereby certifies that the information and assurances contained within the *Virginia Public Charter School Application* submitted on behalf of the proposed charter school to the Virginia Board of Education and the information contained in this *Public Charter School Application Addendum* is correct.

Name of Authorized Official:

Title:

Signature of Authorized Official:

Date:

⁹ Although not required by law to be in the charter application, waivers must be included in the charter contract. Moreover, the School Board is required to request, on behalf of the charter school, the releases from state regulation. For these two reasons, it is wise to include the waivers in the application.

RULES OF ORDER

The School Board shall establish its own rules of order and shall adopt policies, bylaws, and regulations. In the absence of any specific rule, *Roberts Rules of Order Revised* shall be considered the authority on parliamentary law.

Adopted: August 6, 1998
Revised: December 20, 2007
Revised: June 16, 2011
Reviewed: August 6, 2020
Reviewed:

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

ACCESS TO EMPLOYEE SOCIAL MEDIA ACCOUNTS

The Charlottesville City School Board does not require current or prospective employees to disclose the username or password to the employee's personal social media accounts or to add an employee, supervisor or administrator to the list of contacts associated with the employee's personal social media account.

If the School Board or a School Board employee inadvertently receives an employee's username and password to, or other login information associated with, the employee's personal social media account through the use of an electronic device provided to the employee by the School Board or a program that monitors the School Board's network, the Board will not be liable for having the information nor will not use the information to gain access to the employee's social media account.

This policy does not prohibit the School Board and its agents from viewing information about a current or prospective employee that is publicly available.

This policy does not prohibit the School Board from requesting an employee to disclose the employee's username and password for the purpose of accessing a personal social media account if the employee's social media account activity is reasonably believed to be relevant to a formal investigation or related proceeding by the board of allegations of an employee's violation of federal, state or local laws or regulations or of the Board's written policies. If the employee agrees and allows access, the information will only be used for the investigation. If the employee does not agree or allow access, the administrator may consult with legal counsel to determine what action should be followed for access to their needed account. If the Board exercises its rights under this paragraph, the employee's username and password will only be used for the purpose of the formal investigation or a related proceeding.

Adopted: June 30, 2015

Reviewed: August 6, 2020

Reviewed:

Legal Reference: Code of Virginia, 1950, as amended, § 40.1-28.7:5.

Cross Reference: GAB/IIBEA Acceptable Computer System Use

REPORT OF DISCRIMINATION

Name of Complainant:

For Employees, Position:

For Applicants, Position Applied For:

Address and Phone Number:

Date(s) of Alleged Discrimination:

Name of person(s) you believe discriminated against you or others:

Please describe in detail the incident(s) of alleged discrimination, including where and when the incident(s) occurred. Please name any witnesses that may have observed the incident(s). Attach additional pages if necessary.

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

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 Officer Date

INSTRUCTION

File: IEB

Page 1

NATIONAL MOTTO

The statement, "In God We Trust," the National Motto, enacted by Congress in 1956" is posted in a conspicuous place in each school for all students to read.

Adopted: March 18, 2004

Reviewed: April 17, 2008

Reviewed: June 25, 2013

Reviewed: June 19, 2018

Revised: August 6, 2020

Reviewed:

Legal Ref: Acts 2003, c. 902.