

<b>REVISED POLICIES FOR REVIEW</b> <b>(VSBA Policy Updates - May 2023)</b> <b>Information - June 1, 2023 School Board Meeting</b>					
Current CCS Policy (on CCS Website)	VSBA Revised Policies for Review (Redline Copy - May 2023)	Policy Title	Explanation of Revisions	Assigned to (ELT)	Date last approved
<a href="#">AF</a>	<a href="#">AF</a>	<b>Comprehensive Plan</b>	Policy updated to reflect amendment of Va. Code § 22.1-253.13:6 by HB 319/SB 616 (2022) and HB 1526 and SB 1175 (2023).	<b>Dr. Otey Carolyn Swift</b>	August 1, 2019
<a href="#">BBA</a>	<a href="#">BBA</a>	<b>School Board Powers and Duties</b>	Policy updated to reflect amendment of Va. Code § 22.1-79 by:  - HB 1630/SB 1479 regarding specialized support positions, - HB 2021 regarding back to school nights, - HB 2025 regarding sending SNAP information and free and reduced price meals application home, and - HB 2161 and SB 1151 regarding changing the amount of notice required before public hearings.  Legal References updated.	<b>Team</b>	June 17, 2021
<a href="#">BBFA</a>	<a href="#">BBFA</a>	<b>Conflict of Interests and Disclosure of Economic Interests</b>	Policy provisions regarding required COIA training updated to reflect amendment of Va. Code § 2.2-3132 by HB 2122/SB 1460. Policy provisions regarding gifts from certain foreign dignitaries updated to reflect amendment of Va. Code § 2.2-3103.1 by HB 1911/SB 1002.	<b>Team</b>	August 4, 2022
<a href="#">BCE</a>	<a href="#">BCE</a>	<b>School Board Committees</b>	Policy and Cross References updated.	<b>Team</b>	August 4, 2022
<a href="#">BCEA</a>	<a href="#">BCEA (Optional)</a>	<b>Disciplinary Committee</b>	Policy and Cross References updated. Policy has also been updated to represent the structure of the current CCS Disciplinary Committee.	<b>Team</b>	August 1, 2019
<a href="#">BCF</a>	<a href="#">BCF</a>	<b>Advisory Committees to the School Board</b>	Cross References updated.	<b>Team</b>	August 6, 2020
<a href="#">BDA</a>	<a href="#">BDA</a>	<b>Regular School Board Meetings</b>	Cross References updated.	<b>Team</b>	August 4, 2022
<a href="#">BDD</a>	<a href="#">BDD</a>	<b>Electronic Participation in School Board Meetings from Remote Locations</b>	Title of Policy changed. Cross References updated to reflect new optional policy BDDL Electronic Participation in Committee Meetings from Remote Locations and to correct typographical error.	<b>Team</b>	August 4, 2022
<a href="#">BDDA</a>	<a href="#">BDDA</a>	<b>Notification of Meetings</b>	Cross References updated.	<b>Team</b>	August 4, 2022
<a href="#">BDDF</a>	<a href="#">BDDF</a>	<b>Voting Method</b>	Cross References updated.	<b>Team</b>	August 4, 2022
<a href="#">BDDG</a>	<a href="#">BDDG</a>	<b>Minutes</b>	Cross References updated.	<b>Team</b>	April 13, 2023
	<a href="#">BDDL</a>	<b>Electronic Participation in Committee Meetings from Remote Locations (Optional)</b>	<b>NEW</b> optional policy for school boards which want to adopt a policy governing electronic participation in meetings of the board's committees.	<b>Team</b>	
<a href="#">BHB</a>	<a href="#">BHB</a>	<b>School Board Member In-Service Activities</b>	Policy updated to reflect amendment of Va. Code § 2.2-3132 by HB 2122/SB 1460. Legal Reference updated to correct typographical error.	<b>Team</b>	August 4, 2022

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<a href="#">CBA</a>	<a href="#">CBA</a>	<b>Qualifications and Duties for the Superintendent</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-79.3 by HB 1630/SB 1479 regarding critical shortage areas and Va. Code § 22.1-279.8 by HB 1704/SB 821 regarding division safety officials. Legal References and Cross References updated.</i>	<b>Team</b>	June 17, 2021
<a href="#">CBB</a>	<a href="#">CBB</a>	<b>Appointment and Term of the Superintendent</b>	<i>Legal References updated to reflect revisions to Virginia Department of Education's website.</i>	<b>Team</b>	June 19, 2018
<a href="#">DB</a>	<a href="#">DB</a>	<b>Annual Budget</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-92 by HB 2161 and SB 1151.</i>	<b>Renee Hoover</b>	August 6, 2020
<a href="#">DJF</a>	<a href="#">DJF</a>	<b>Purchasing Procedures</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-296.1 by HB 1822.</i>	<b>Renee Hoover</b>	June 17, 2021
<a href="#">EB</a>	<a href="#">EB</a>	<b>School Crisis, Emergency Management and Medical Emergency Response Plan</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-279.8 by HB 1704/SB 821. Legal References and Cross References updated.</i>	<b>Kim Powell</b>	August 4, 2022
<a href="#">EBB</a>	<a href="#">EBB</a>	<b>Threat Assessment Teams</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-79.4 by SB 1359.</i>	<b>Kim Powell</b>	August 4, 2022
<a href="#">EFB</a>	<a href="#">EFB</a>	<b>Food Services</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-207.2:2 by HB 587 from 2022, which had a delayed effective date until 8/1/23. Legal References and Cross References updated.</i>  <i>Please note: The policy requires the superintendent to create and update regulations or procedures to implement the policy.</i>	<b>Kim Powell</b>	August 4, 2022
<a href="#">GAB/IIBEA</a>	<a href="#">GAB/IIBEA</a>	<b>Acceptable Computer System Use</b>	<i>Policy updated to reflect enactment of Va. Code § 2.2-5514.1 by SB 1459. Legal References updated.</i>  <i>Please note: Va. Code § 22.1-70.2 requires every school board to review, amend if necessary, and approve this policy every two years. Superintendents should be sure that the Technology Use Guidelines required by the policy are also reviewed and updated on a schedule that complies with that requirement.</i>	<b>Pat Cuomo</b>	April 13, 2023
<a href="#">GBE</a>	<a href="#">GBE</a>	<b>Staff Health</b>	<i>Policy updated to reflect amendment of Va. Code § 54.1-2957.02 by SB 975. Cross References updated.</i>	<b>Maria Lewis</b>	August 6, 2020
<a href="#">GBEC/JFCH/KGC</a>	<a href="#">GBEC</a>	<b>Tobacco Products and Nicotine Vapor Products (also JFCH and KGC)</b>	<i>Please note: This policy requires the superintendent to develop a regulation containing elements specified in the policy.</i>	<b>Dr. Otey</b>	August 1, 2019
<a href="#">GC</a>	<a href="#">GC</a>	<b>Professional Staff</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-299 by HB 2375 and SB 1052.</i>	<b>Maria Lewis</b>	June 17, 2021
<a href="#">GCDA</a>	<a href="#">GCDA</a>	<b>Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-296.1 by HB 1822.</i>	<b>Maria Lewis</b>	June 17, 2021

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<a href="#">GCE</a>	<a href="#">GCE</a>	<b>Substitute Teachers</b>	<i>Title of Policy changed. Policy updated to reflect enactment of Acts 2023, c. 641, derived from HB 2457, and to reflect content of Legal References. Cross References updated.</i>	<b>Maria Lewis</b>	November 7, 2019
<a href="#">GCL</a>	<a href="#">GCL</a>	<b>Professional Staff Development</b>	<i>Policy updated to reflect enactment of Va. Code § 22.1-298.8 by HB 2457 and amendment of Va. Code § 22.1-253.13:5 by HB 319/SB 616 (2022) and HB 1526 and SB 1175 (2023).</i>	<b>Dr. Otey</b>	August 17, 2022
<a href="#">IGBG</a>	<a href="#">IGBG</a>	<b>Off-Site Instruction and Virtual Courses</b>	<i>Policy updated to reflect amendment of Va. Code § 54.1-2957.02 by SB 975.  Please note: This policy requires the superintendent to develop regulations.</i>	<b>Dr. Otey</b>	June 19, 2018
<a href="#">IIBEA/GAB</a>	<a href="#">IIBEA/GAB</a>	<b>Acceptable Computer System Use</b>	<i>Policy updated to reflect enactment of Va. Code § 2.2-5514.1 by SB 1459. Legal References updated. Please note: Va. Code § 22.1-70.2 requires every school board to review, amend if necessary, and approve this policy every two years. Superintendents should be sure that the Technology Use Guidelines required by the policy are also reviewed and updated on a schedule that complies with that requirement.</i>	<b>Pat Cuomo</b>	April 13, 2023
<a href="#">IKF</a>	<a href="#">IKF</a>	<b>The Virginia Assessment Program and Graduation Requirements</b>	<i>Policy updated to reflect enactment of Va. Code §§ 22.1-370, 22.1-371, and 22.1-380 by HB 1929. Cross References updated.</i>	<b>Carolyn Swift</b>	August 1, 2019
<a href="#">IL</a>	<a href="#">IL</a>	<b>Testing Programs</b>	<i>Policy updated to reflect amendment of Va. Code § 22.1-253.13:3 by HB 2225/SB 1253.</i>	<b>Carolyn Swift</b>	June 19, 2018
<a href="#">JEA</a>	<a href="#">JEA</a>	<b>Compulsory Attendance</b>	<i>Policy revised to include requirements of Va. Code § 22.1-261. Legal References updated.</i>	<b>Dr. Otey</b>	June 19, 2018
<a href="#">JEC</a>	<a href="#">JEC</a>	<b>School Admission</b>	<i>Policy updated to reflect enactment of Va. Code §§ 22.1-369, 22.1-370, and 22.1-373 by HB 1929.</i>	<b>Dr. Otey</b>	August 6, 2020
<a href="#">JECA</a>	<a href="#">JECA</a>	<b>Admission of Homeless Children</b>	<i>Policy updated to reflect amendment of 42 U.S.C. § 11302.</i>	<b>Dr. Otey</b>	June 19, 2018
<a href="#">JFC</a>	<a href="#">JFC</a>	<b>Student Conduct</b>	<i>Policy revised to reflect content of Legal References. Legal References updated.</i>	<b>Dr. Otey</b>	June 17, 2021
<a href="#">JFCF</a>	<a href="#">JFCF</a>	<b>Drugs in School</b>	<i>Policy revised to reflect content of Legal References. Legal References updated.</i>	<b>Dr. Otey</b>	June 17, 2021
<a href="#">JFCH-GBEC-KGC</a>	<a href="#">JFCH</a>	<b>Tobacco Products and Nicotine Vapor Products (also GBEC and KGC)</b>	<i>Please note: This policy requires the superintendent to develop a regulation containing elements specified in the policy.</i>	<b>Dr. Otey</b>	August 1, 2019

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<a href="#">JGD-JGE</a>	<a href="#">JGD/JGE</a>	Student Suspension/Expulsion	Policy updated to reflect amendment of Va. Code § 22.1-277.07 by HB 2/SB 70 (2020).  Please note: This policy requires the superintendent to create <a href="#">procedures</a> .	Dr. Otey	June 17, 2021
<a href="#">JHCA</a>	<a href="#">JHCA</a>	Physical Examination of Students	Policy updated to reflect amendment of Va. Code § 22.1-270 by HB 1450/SB 798.	Dr. Otey	August 1, 2019
<a href="#">JHCB</a>	<a href="#">JHCB</a>	Student Immunizations	Policy updated to reflect amendment of Va. Code §§ 22.1-271.2 and 54.1-2957.02 by SB 975.	Dr. Otey	August 4, 2022
<a href="#">JHCC</a>	<a href="#">JHCC</a>	Communicable Diseases	Policy updated to reflect amendment of Va. Code § 54.1-2957.02 by SB 975 Legal References updated.	Dr. Otey	August 6, 2020
<a href="#">JHCD</a>	<a href="#">JHCD</a>	Administering Medicines to Students	Policy updated to reflect amendment of Va. Code § 22.1-274.2 by HB 2429.  Please note: This policy requires the superintendent to create a <a href="#">regulation</a> .	Dr. Otey	October 7, 2021
<a href="#">JHCF</a>	<a href="#">JHCF</a>	Wellness Policy	Updated to reflect VA Code	Dr. Otey	October 7, 2021
<a href="#">KBA-E</a>	<a href="#">KBA-E</a>	Rights and Responsibilities	Exhibit updated to reflect amendment of Va. Code § 2.2-3704.1 by HB 2007.	Beth Cheuk	August 4, 2022
<a href="#">KF</a>	<a href="#">KF</a>	Distribution of Information/Materials	Policy and Cross References updated.  Please note: This policy requires the superintendent to create a <a href="#">regulation</a> .	Dr. Otey Beth Cheuk	August 1, 2019
<a href="#">GBEC/JFCH/KGC</a>	<a href="#">KGC</a>	Tobacco Products and Nicotine Vapor Products (also GBEC and JFCH)	Cross References updated.  Please note: This policy requires the superintendent to develop a <a href="#">regulation</a> containing elements specified in the policy.	Dr. Otey	August 1, 2019
<a href="#">KQ</a>	<a href="#">KQ</a>	Commercial, Promotional and Corporate Sponsorships and Partnerships	Policy updated to reflect amendment of Va. Code § 22.1-296.1 by HB 1822.	Dr. Otey Dr. Johnson	August 6, 2020
<a href="#">LEB</a>	<a href="#">LEB</a>	Advanced/Alternative Courses for Credit	Policy updated to reflect amendment of 8 VAC 20-131-140.	Dr. Otey	June 17, 2021
<b>Policies Reviewed but not Revised</b> <b>(Policy links direct to CCS Policy Manual)</b>					
Policies Reviewed but not Revised	Google Docs	Policy Title	Comments		Date last approved
<a href="#">CMA</a>	<a href="#">CMA</a>	Quality Profiles		Carolyn Swift	June 17, 2021
<a href="#">IGE</a>	<a href="#">IGE</a>	Adult Education		Dr. Otey	June 19, 2018
<a href="#">IGBI</a>	<a href="#">IGBI</a>	Advanced Placement Classes and Special Programs	Please note: The policy requires the superintendent to promulgate <a href="#">regulations</a> to implement the policy.	Dr. Otey	June 19, 2018

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<a href="#">IKEB</a>	<a href="#">IKEB</a>	Acceleration		Dr. Otey	June 19, 2018
<a href="#">JC</a>	<a href="#">JC</a>	School Attendance Areas	<i>Please note: The policy requires the superintendent to promulgate <a href="#">regulations</a> to implement the policy.</i>	Dr. Otey Kim Powell	June 19, 2018

### COMPREHENSIVE PLAN

The Charlottesville City School Board adopts a divisionwide comprehensive, unified, long-range plan based on data collection, an analysis of the data, and how the data will be utilized to improve classroom instruction and student achievement. The plan is developed with staff and community involvement and includes, or is consistent with, all other divisionwide plans required by state and federal laws and regulations. The school board reviews the plan biennially and adopts any necessary revisions. Prior to the adoption of the plan or revisions thereto, the school board posts the plan or revisions on the division's Internet website if practicable and makes a hard copy of the plan or revisions available for public inspection and copying and conducts at least one public hearing to solicit public comment on the plan or revisions.

The divisionwide comprehensive plan includes:

- (i) the objectives of the school division, including strategies for first improving student achievement, particularly the achievement of educationally at risk students, then maintaining high levels of student achievement;
- (ii) an assessment of the extent to which these objectives are being achieved;
- (iii) a forecast of enrollment changes;
- (iv) a plan for projecting and managing enrollment changes including consideration of the consolidation of schools to provide for a more comprehensive and effective delivery of instructional services to students and economies in school operations;
- (v) an evaluation of the appropriateness of establishing regional programs and services in cooperation with neighboring school divisions;
- (vi) a plan for implementing such regional programs and services when appropriate;
- (vii) a technology plan designed to integrate educational technology into the instructional programs of the school division, including the division's career and technical education programs, consistent with or as part of the comprehensive technology plan for Virginia adopted by the Board of Education;
- (viii) an assessment of the needs of the school division and evidence of community participation, including parental participation, in the development of the plan;
- (ix) any corrective action plan required pursuant to Va. Code § 22.1-253.13:3; and

## FOUNDATIONS AND BASIC COMMITMENTS

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- (x) a plan for parent and family involvement to include building successful school and parent partnerships that will be developed with staff and community involvement, including participation by parents.

### Effective with the 2024-2025 school year:

- the divisionwide comprehensive plan will also include a divisionwide literacy plan for pre-kindergarten through grade eight, and
- the School Board will post, maintain, and update as necessary on its website a copy of its divisionwide literacy plan and the job description and contact information for any reading specialist employed by the division pursuant to subsection G of Va. Code § 22.1-253.13:2 and for any dyslexia specialist it employs.

The school board presents a report to the public by November 1 of each odd-numbered year on the extent to which the objectives of the divisionwide comprehensive plan have been met during the previous two school years.

Each school prepares a comprehensive, unified, long-range plan, which the school board considers in the development of the divisionwide comprehensive plan.

Adopted August 16, 2007

Reviewed: December 20, 2007

Reviewed: June 25, 2013

Reviewed: June 26, 2014

Revised: August 1, 2019

Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:6.

## SCHOOL BOARD POWERS AND DUTIES

The School Board:

- adopts policy to provide for the day-to-day supervision of schools;
- sees that the school laws are properly explained, enforced and observed;
- secures, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and takes care that they are conducted according to law and with the utmost efficiency;
- cares for, manages and controls the property of the school division and provides for the erecting, furnishing, equipping, and noninstructional operating of necessary school buildings and appurtenances and the maintenance thereof by purchase, lease, or other contracts;
- provides for the consolidation of schools or redistricting of school boundaries or adopts pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
- insofar as not inconsistent with state statutes and regulations of the Board of Education, operates and maintains the public schools in the school division and determines the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools;
- performs such other duties as are prescribed by the Board of Education or are imposed by law;
- obtains public comment through a public hearing not less than ~~ten~~ seven days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools; (ii) the transfer from the public school system of the administration of all instructional services for any public school classroom or all noninstructional services in the school division pursuant to a contract with any private entity or organization; or (iii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the School Board at which the proposed action is taken if the public hearing is held before the action is taken;
- surveys, at least annually, the school division to identify critical shortages of teachers and administrative personnel by subject matter, specialized student support positions, and school bus drivers and reports such critical shortages to the Superintendent of Public Instruction and to the Virginia Retirement System or requests the superintendent to conduct such survey and submit such report to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System; ~~and~~
- ensures that the public schools within the school division are registered with the Department of State Police to receive electronic notice of the registration or



SCHOOL BOARD GOVERNANCE AND OPERATIONS

- reregistration of any sex offender within the school division pursuant to Va. Code § ~~9.1-914~~. 9.1-914;
- ensures that the information sheet on the Supplemental Nutrition Assistance Program (SNAP) benefits program developed and provided by the Department of Social Services pursuant to subsection D of Va. Code § 63.2-801 is sent home with each student enrolled in an elementary or secondary school in the division at the beginning of each school year or, in the case of any student who enrolls after the beginning of the school year, as soon as practicable after enrollment;
  - ensures that a fillable free or reduced price meals application is sent home with each student enrolled in a public elementary or secondary school in the division at the beginning of each school year or, in the case of any student who enrolls after the beginning of the school year, as soon as practicable after enrollment;  
and
  - ensures that at any back to school night event in the division to which the parents of enrolled students are invited, any parent in attendance receives prominent notification of and access, in paper or electronic form, or both, to information about application and eligibility for free or reduced price meals for students and a fillable free or reduced price meals application that may be completed and submitted on site.

Specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the School Board or provided through contracted services.

Adopted: August 6, 1998  
Revised: October 16, 2003  
Revised: December 20, 2007  
Revised: June 26, 2014  
Reviewed: August 1, 2019  
Revised: August 6, 2020  
Revised: June 17, 2021  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70.3, 22.1-78, ~~22.1-79~~. 22.1-79, 22.1-253.13:2.

Cross Refs.: AF Comprehensive Plan  
CBA Qualifications and Duties for the Superintendent  
KN Sex Offender and Crimes Against Minors Registry Information

## **CONFLICT OF INTERESTS AND DISCLOSURE OF ECONOMIC INTERESTS**

### A. Purpose

The Charlottesville City School Board seeks, through the adoption of this policy, to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests as defined by the General Assembly in the State and Local Government Conflict of Interests Act (the Act).

### B. Areas of Regulation

The Act establishes six principal areas of regulation applicable to Board members, officers and employees of the Charlottesville City School Division. They are:

- special anti-nepotism rules relating to School Board members and superintendents of schools
- general rules governing public conduct by School Board members regarding acceptance of gifts and favors
- prohibited conduct regarding contracts
- required conduct regarding transactions
- disclosures required from School Board members
- ~~training requirements for elected School Board members~~ members

### C. Definitions

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidary relationship, that exists when

- one business entity has a controlling ownership interest in the other business entity;
- a controlling owner in one entity is also a controlling owner in the other entity; or
- there is shared management or control between the business entities.

Factors that may be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities, there are common or commingled funds or assets, the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis, or there is otherwise a close working relationship between the entities.

"Business" means any individual or entity carrying on a business or profession, whether or not

for profit.

"Contract" means any agreement to which a governmental agency is a party, or any agreement on behalf of a governmental agency which involves the payment of money appropriated by the General Assembly or political subdivision, whether or not such agreement is executed in the name of the Commonwealth, or some political subdivision of it.

"Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in Va. Code § 30-355.

"Employee" means all persons employed by a governmental or advisory agency.

"Financial institution" means any bank, trust company, savings institution, industrial loan association, consumer finance company, credit union, broker-dealer as defined in subsection A of Va. Code § 13.1-501, or investment company or advisor registered under the federal Investment Advisors Act or Investment Company Act of 1940.

"Foreign country of concern" means any country designated by the Secretary of State to have repeatedly provided support for acts of international terrorism pursuant to the National Defense Authorization Act for Fiscal Year 2019, P.L. 115-232 § 1754(c), Aug. 13, 2018; the Arms Export Control Act § 40, 22 U.S.C. § 2780; or the Foreign Assistance Act of 1961 § 620A, 22 U.S.C. § 2370.

~~"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission or pass is used; honorary degrees; any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public; a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.; any gift related to the private profession, occupation or volunteer service of the School Board member or employee or of a member of the School Board member's or employee's immediate family; food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service; food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer; unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service; a devise or inheritance; travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.); travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of, or any meal provided for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board,~~

~~commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment; gifts with a value of less than \$20; attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered; tickets or the registration or admission fees to an event that are provided by the School Board to School Board members or employees for the purposes of performing official duties related to their public service; or gifts from relatives or personal friends.~~

- any offer of a ticket, coupon or other admission or pass unless the ticket, coupon, admission or pass is used;
- honorary degrees;
- any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public;
- a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.;
- any gift related to the private profession, occupation or volunteer service of the School Board member or employee or of a member of the School Board member's or employee's immediate family;
- food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service;
- food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer;
- unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service;
- a devise or inheritance;
- travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.);
- travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state;
- travel related to an official meeting of, or any meal provided for attendance at such meeting by the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment;
- gifts with a value of less than \$20;
- attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered;

- tickets or the registration or admission fees to an event that are provided by the School Board to School Board members or employees for the purposes of performing official duties related to their public service; or
- gifts from relatives or personal friends.

For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, step-grandchild, step-brother, step-sister, the donee's brother's or sister's spouse or the donee's son-in-law or daughter-in-law. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's principal as defined in Va. Code § 2.2-419; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, "person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

"Governmental agency" means each component part of the legislative, executive or judicial branches of state and local government, including each office, department, authority, post, commission, committee, and each institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished from purely advisory powers or duties. Corporations organized or controlled by the Virginia Retirement System are "governmental agencies" for purposes of this policy.

"Immediate family" means (i) a spouse and (ii) any other person who resides in the same household as the School Board member or employee and who is a dependent of the School Board member or employee.

"Officer" means any person appointed or elected to any governmental or advisory agency including local school boards, whether or not he receives compensation or other emolument of office.

"Parent-subsidiary relationship" means a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation.

"Personal interest" means a financial benefit or liability accruing to a School Board member or employee or to a member of the immediate family of the School Board member or employee. Such interest shall exist by reason of

- ownership in a business if the ownership interest exceeds three percent of the total equity of the business;
- annual income that exceeds, or may reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business;

- salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to exceed \$5,000 annually;
- ownership of real or personal property if the interest exceeds \$5,000 in value and excluding ownership in a business, income or salary, other compensation, fringe benefits or benefits from the use of property;
- personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business; or
- an option for ownership of a business or real or personal property if the ownership interest will consist of the first or fourth bullets above.

"Personal interest in a contract" means a personal interest which an officer or employee has in a contract with a governmental agency, whether due to his being a party to the contract or due to a personal interest in a business which is a party to the contract.

"Personal interest in a transaction" means a personal interest of an officer or employee in any matter considered by his agency. Such personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or governmental agency, or represents or provides services to any individual or business and such property, business, or represented or served individual or business

- is the subject of the transaction or
- may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction.

Notwithstanding the foregoing, such personal interest in a transaction shall not be deemed to exist where (a) an elected member of a local governing body serves without remuneration as a member of the board of trustees of a not-for-profit entity and such elected member or member of his immediate family has no personal interest related to the not-for-profit entity or (b) an officer, employee or elected member of a local governing body is appointed by the local governing body to serve on a governmental agency or an officer, employee or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency, and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body or the separate governmental agency to the officer, employee, elected member or member of his immediate family.

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

#### D. Special Anti-Nepotism Rules Relating to School Board Members and Superintendents

1. The School Board may not employ or pay, and the superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law,

daughter-in-law, sister-in-law or brother-in-law of the superintendent or of a School Board member except as authorized below. This prohibition does not apply to the employment, promotion, or transfer within the school division, of any person within a relationship described above when such person

- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of the superintendent or any member of the Board; or
- has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or
- was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school board prior to the taking of office of any member of the School Board or superintendent.

A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such Board member or superintendent or to the inception of such relationship.

2. Notwithstanding the rules stated in Subsection D.1. above, the School Board may employ or pay, and the superintendent may recommend for employment, any family member of a School Board member provided that
  - the member certifies that he had no involvement with the hiring decision; and
  - the superintendent certifies to the remaining members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the Board had any involvement with the hiring decision.
3. Notwithstanding the rules stated above, the School Board may employ or pay any family member of the superintendent provided that
  - the superintendent certifies that he had no involvement with the hiring decision; and
  - the assistant superintendent certifies to the members of the School Board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that the superintendent had no involvement with the hiring decision.
4. No family member (as listed in section D.1., above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee.

The employment and assignment of family members in the same organizational unit is discouraged.

## E. General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors

### 1. Prohibited Conduct

No member or employee of the Board, shall

- solicit or accept money, or anything else of value, for services performed within the scope of the Board Member's or employee's official duties other than the Board Member's or employee's regular compensation, expenses or other remuneration;
- offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion of any person in the school division;
- offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division;
- use for the Board Member's or employee's own economic benefit, or anyone else's, confidential information gained by reason of the Board Member's or employee's office, and which is not available to the public;
- accept any money, loan, gift, favor, service or business or professional opportunity that reasonably tends to influence the Board Member or employee in the performance of the Board Member's or employee's official duties;
- accept any business or professional opportunity when he or she knows that there is a reasonable likelihood that the opportunity is being afforded the Board Member or employee to influence the Board Member's or employee's conduct in the performance of official duties;
- accept a gift from a person who has interests that may be substantially affected by the performance of the School Board member's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the Board member's or employee's impartiality in the matter affecting the donor;
- accept gifts from sources on a basis so frequent as to raise an appearance of the use of the Board Member's or employee's public office or employment for private gain; or
- use the Board Member's or employee's public position to retaliate or threaten to retaliate against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law, provided, however, that this prohibition shall not restrict the authority of any public employer to govern conduct of its employees, and to take disciplinary action, in accordance with applicable law.

### 2. Prohibited Gifts



For purposes of this subsection:

"Person, organization or business" includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

"Widely attended event" means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable or professional organization, (ii) who are from a particular industry or profession or (iii) who represent persons interested in a particular issue.

School Board members and employees required to file a Statement of Economic Interests as prescribed in Va. Code § 2.2-3117 and members of their immediate families shall not solicit, accept or receive any single gift with a value in excess of \$100 or any combination of gifts with an aggregate value in excess of \$100 within any calendar year for the School Board member or employee or a member of the School Board or employee's immediate family from any person that the School Board member or employee or a member of the School Board's or employee's immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (ii) a lobbyist's principal as defined in Va. Code § 2.2-419; or (iii) a person, organization, or business who is or is seeking to become a party to a contract with the School Board. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.

Notwithstanding the above, School Board members and employees required to file a Statement of Economic Interests and members of their immediate families may accept or receive

- a gift of food and beverages, entertainment or the cost of admission with a value in excess of \$100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;
- a gift from a foreign dignitary with a value exceeding \$100 for which the fair market value or a gift of greater or equal value has not been provided or ~~exchanged~~. exchanged, so long as such foreign dignitary is not a representative of a foreign country of concern. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;
- certain gifts with a value in excess of \$100 from a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board may be a personal friend of such School Board member or employee or the immediate family of the School Board member or employee. In

determining whether a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and

- gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

The \$100 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to \$100 or less.

### 3. Awards to Employees for Exceptional Service

Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of Charlottesville City School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

### F. Prohibited Conduct Regarding Contracts

1. No School Board member or employee shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board;

2. Exceptions - The above prohibition is not applicable to:
- a Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board
  - an employee's own contract of employment
  - contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public
  - a contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board; however, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract
  - the sale, lease or exchange of real property between a School Board member or employee and the School Board, provided the Board member or employee does not participate in any way as a Board member or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the School Board or superintendent
  - the publication of official notices
  - an officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of \$5,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract
  - contracts between an officer's or employee's governmental agency and a public service corporation, financial institution or company furnishing public utilities in which the officer or employee has a personal interest provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract
  - contracts for the purchase of goods or services when the contract does not exceed \$500
  - grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency
  - an officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee
  - employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act

(or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his household and the annual salary of the subordinate is \$35,000 or more

#### G. Prohibited Conduct Regarding Transactions

1. Each School Board member and School Board employee who has a personal interest in a transaction
  - a. shall disqualify himself from participating in the transaction if
    - (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsiary or affiliated business entity relationship with the business in which he has a personal interest, or
    - (ii) he is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.

Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115.F and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not

- (i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or
    - (ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
  - b. may participate in the transaction if he is a member of a business, profession, occupation, or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115.H;
  - c. may participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115.I; or
  - d. may participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.
2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a

member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.

3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the Board shall constitute a quorum for the conduct of business and have authority to act for the Board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.
4. The provisions of this section shall not prevent a Board member or employee from participating in a transaction merely because such a Board member or employee is a defendant in a civil legal proceeding concerning such transaction.

#### H. Disclosure Requirements

1. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is required on the form prescribed by the Council pursuant to Va. Code § 2.2-3117 and thereafter file such statement annually on or before February 1. The disclosure forms are filed and maintained as public records for five years in the office of the clerk of the School Board.
2. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of \$250. The clerk of the School Board shall notify the attorney for the Commonwealth for the locality of any School Board member's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.
3. Any Board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the School Board's public records in the division superintendent's office for a period of five (5) years.
4. Any Board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
  - the transaction involved;
  - the nature of the Board member's or employee's personal interest affected by the transaction;

- that he is a member of a business, profession, occupation or group the members of which are affected by the transaction; and
- that he is able to participate in the transaction fairly, objectively, and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the Board member or employee shall prepare and file the required declaration by the end of the next business day. The Board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

5. A Board member or employee who is required to declare his interest pursuant to subdivision G.1.c. of this policy shall declare his interest by stating
  - (i) the transaction involved;
  - (ii) that a party to the transaction is a client of his firm;
  - (iii) that he does not personally represent or provide services to the client; and
  - (iv) that he is able to participate in the transaction fairly, objectively and in the public interest.

The Board member or employee shall either make his declaration orally to be recorded in written minutes of the Board or file a signed written declaration with the clerk of the Board who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the Board member or employee shall prepare and file the required declaration by the end of the next business day.

#### I. Release of Disclosure Forms

A clerk of the School Board who releases any disclosure form shall redact from the form any residential address, personal telephone number, email address, or signature contained on such form.

#### J. Deadlines and Coverage Periods for Disclosure Forms

A School Board member or employee required to file an annual disclosure on or before February 1 shall disclose his personal interests and other information as required on the form prescribed by the Council for the preceding calendar year complete through December 31.

An School Board member or employee required to file a disclosure as a condition to assuming office or employment shall file such disclosure on or before the day such office or position of employment is assumed and disclose his personal interests and other information as required on the form prescribed by the Council for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the office or position of employment is assumed; however, any School Board member or employee who assumes office or a position of employment in January shall be required to only file an annual disclosure on or before February 1 for the preceding calendar year complete through December 31.

When the deadline for filing any disclosure falls on a Saturday, Sunday or legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday or legal holiday.

#### K. Training Requirements for ~~Elected~~ School Board ~~Members~~ Members

Each ~~elected~~ school board member completes the training session provided by the Council within two months after assuming office and thereafter at least once during each consecutive period of two calendar years while holding office.

The clerk of the School Board maintains records indicating school board members subject to the training requirement and the dates of their completion of training sessions. Such records are maintained as public records for five years in the clerk's office.

#### L. Advisory Opinions

School Board members or employees subject to the Act may seek written opinions regarding the Act from the local Commonwealth's attorney; the local city attorney; or the Council. Good faith reliance on any such written opinion of the Commonwealth Attorney or a formal opinion or written informal advice of the Council made in response to a written request for such opinion or advice regardless of whether such opinion or advice is later withdrawn, provided that the alleged violation occurred prior to the withdrawal of the opinion or advice bars prosecution for a knowing violation of the Act provided the opinion was made after a full disclosure of the facts. If the School Board member or employee relies on the opinion of the attorney for the Commonwealth in a prosecution for a knowing violation of the Act, the written opinion of the attorney for the Commonwealth shall be a public record and shall be released upon request. An opinion of the city attorney may be introduced at trial as evidence that the School Board member or employee did not knowingly violate the Act.

Adopted: October 16, 2003  
Revised: August 16, 2017  
Revised: December 20, 2007  
Revised: June 19, 2008  
Revised: June 17, 2010  
Revised: June 25, 2013  
Revised: January 8, 2015  
Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 20, 2017  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.1, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3118.2, 2.2-3119, 2.2-3121, 2.2-3124, 2.2-3132 and 30-356.

Cross Ref.:	CBCA	Disclosure Statement Required of Superintendent
	GAH	School Employee Conflict of Interests
	GCCB	Employment of Family Members



### SCHOOL BOARD COMMITTEES

There are no standing committees of the Charlottesville City School Board, except the Disciplinary Committee.

Special committees may be appointed by the ~~chairman~~ chair or created by School Board action. ~~These committees shall be appointed or~~ Special committees are created for a specific purpose and ~~shall~~ expire upon completion of the assigned ~~task task, or at the time specified~~ when the committee is created, unless School Board action authorizes temporary continuance of ~~such committees.~~ the committee.

Adopted: August 6, 1998  
Revised: October 16, 2003  
Revised: December 20, 2007  
Revised: June 25, 2013  
Reviewed: June 20, 2017  
Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-277.06.

Cross Refs.: BCEA Disciplinary Committee  
BCF Advisory Committees to the School Board  
BDA Regular School Board Meetings  
BDB Special School Board Meetings  
BDC Closed Meetings  
BDD Electronic Participation in School Board Meetings from Remote Locations  
BDDL Electronic Participation in Committee Meetings from Remote Locations  
GB Equal Employment Opportunity/Nondiscrimination

**DISCIPLINARY COMMITTEE**

The Charlottesville City Schools Disciplinary Committee is composed of all school board members and presides over all cases of student suspensions of more than 10 days and expulsions within the Charlottesville City School Division. The decision of the committee in long-term suspension and expulsion cases is the final decision of the school board.

The Disciplinary Committee follows the procedures set forth in Policy JGD/JGE Student Suspension/Expulsion.

- Adopted: August 6, 1998
  - Revised: October 16, 2003
  - Revised: December 20, 2007
  - Reviewed: June 25, 2013
  - Revised: June 26, 2014
  - Revised: August 1, 2019
  - Revised: June 1, 2023
  - Revised:
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Legal Ref.: Code of Virginia, §§ 22.1-277.05, 22.1-277.06.

Cross Refs.: BDD Electronic Participation in Committee Meetings from Remote Locations  
BDDL (Optional) Electronic Participation in Committee Meetings from Remote Locations  
BEC School Board Committees  
JEC School Admission  
JGD/JGE Student Suspensions/Expulsions

### ADVISORY COMMITTEES TO THE SCHOOL BOARD

The School Board may appoint advisory councils or committees of citizens of the school division for consultation with reference to specific matters pertaining to local schools. In addition, pursuant to Board of Education regulations, the School Board establishes advisory committees for the following programs: special education and career and technical education. These committees serve without compensation for one-year terms.

In addition, the School Board establishes the following advisory bodies:

- Gifted Education Advisory Committee
- School Health Advisory Board (SHAB)
- Parent Advisory Council
- Special Education Advisory Committee
- Title I Advisory Committee

Adopted: August 6, 1998

Revised: October 16, 2003

Revised: December 20, 2007

Revised: June 17, 2010

Revised: June 16, 2011

Revised: July 5, 2012

Revised: June 25, 2013

Revised: June 30, 2015

Revised: August 6, 2020

Adopted:

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Legal Refs.: 20 U.S.C. §§ 5964, 6318.

Code of Virginia, 1950, as amended, §§ 22.1-16, 22.1-18.1, 22.1-86, 22.1-214, 22.1-227, 22.1-275.1.

8 VAC 20-40-60.

8 VAC 20-81-230.

8 VAC 20-120-50.

Cross Ref.:	BCE	School Board Committees
	BDD	<u>Electronic Participation in Committee Meetings from Remote Locations</u>
	BDDL (Optional)	<u>Electronic Participation in Committee Meetings from Remote Locations</u>
	EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
	EBB	Threat Assessment Teams

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BCF  
Page: 2 of 2

IC/ID  
IGBB  
KC

School Year/School Day  
Programs for Gifted Students  
Community Involvement in Decision Making

## REGULAR SCHOOL BOARD MEETINGS

The School Board transacts all business at School Board meetings. The School Board does not vote by secret or written ballot. However, nothing prohibits separately contacting the membership, or any part thereof, of the School Board for the purpose of ascertaining a member's position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting under the Virginia Freedom of Information Act.

All meetings of the School Board are open to the public, except as otherwise permitted by law.

No meeting is conducted through telephonic, video, electronic or other electronic communication means where the members are not physically assembled to discuss or transact public business, except as provided in Policy BDD Electronic Participation in Meetings from Remote Locations.

The School Board gives notice of its meetings in accordance with Policy BDDA Notification of Meetings.

At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to the members of the School Board for a meeting are made available for public inspection at the same time such documents are furnished to the members of the School Board.

Any person may photograph, film, record or otherwise reproduce any portion of an open meeting. The School Board may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but does not prohibit or otherwise prevent any person from photographing, filming, recording or otherwise reproducing any portion of an open meeting. The School Board does not conduct any open meeting in any building or facility where such recording devices are prohibited.

Minutes of all regular School Board meetings are recorded in accordance with Policy BDDG Minutes.

Adopted: October 17, 2002  
Revised: December 20, 2007  
Revised: June 17, 2010  
Revised: June 30, 2015  
Revised: June 20, 2017  
Revised: August 4, 2022  
Adopted:

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SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDA  
Page 2

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3708.2, 2.2-3710, 22.1-72 and 22.1-74.

Cross Refs.: KC                   Community Involvement in Decision Making  
BCA                   Board Organizational Meetings  
BDD                   Electronic Participation in School Board Meetings from  
                          Remote Locations  
BDDA                  Notification of Meetings  
BDDG                  Minutes  
BDDL (Optional)    Electronic Participation in Committee Meetings from Remote  
                          Locations

## **ELECTRONIC PARTICIPATION IN SCHOOL BOARD MEETINGS FROM REMOTE LOCATIONS**

### **Generally**

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

The minutes of meetings conducted in accordance with this policy include (i) the identity of the members of the School Board who participated in the meeting through electronic communication means, (ii) the identity of the School Board members who were physically assembled at one physical location, and (iii) the identity of the members of the School Board who were not present at the location identified in (ii) but who monitored such meeting through electronic communication means.

If the School Board creates committees, subcommittees, or other entities however designated to perform delegated functions of the Board or to advise the Board, it may adopt a policy on behalf of its committees, subcommittees, or other entities that applies to the committees', subcommittees', or other entities' use of individual remote participation and all-virtual public meetings.

### **Definitions**

"All-virtual public meeting" means a public meeting (i) conducted by the School Board using electronic communication means, (ii) during which all members of the Board who participate do so remotely rather than being assembled in one physical location, and (iii) to which public access is provided through electronic communication means.

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Remote participation" means participation by an individual member of the School Board by electronic communication means in a public meeting where a quorum of the School Board is otherwise physically assembled.

### **Quorum Physically Assembled (Individual Remote Participation)**

Members of the School Board may use remote participation instead of attending a meeting in person if, in advance of the meeting, each member seeking to use remote participation notifies the chair that:

- the member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance;
- a medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance;
- the member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
- the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

The chair reports such requests, if any, to the Board at the beginning of each meeting. Those members of the Board assembled at the primary meeting location must consider the requests for remote participation from each member seeking to use remote participation prior to the member participating in the meeting. The requests, as reported by the chair, and the votes on each member's request are recorded in the minutes.

If participation by a member through electronic communication means is approved, the School Board records in its minutes the remote location from which the member participated. The remote location need not be open to the public and may be identified in the minutes by a general description.

If participation is approved based on a temporary or permanent disability or other medical condition of the member or a member of the member's family, the School Board includes in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance.

If participation is approved because the member's principal residence is more than 60 miles from the meeting location, the School Board includes in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location.

If participation is approved because of a personal matter, the School Board includes in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location is disapproved, such disapproval is recorded in the minutes with specificity.

### **Quorum Not Physically Assembled (All-Virtual Public Meetings)**

The School Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in



## SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD  
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accordance with Va. Code § 44-146.17, or the locality in which the School Board is located has declared a local state of emergency pursuant to Va. Code § 44-146.21, provided

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

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

- gives public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- makes arrangements for public access to the meeting through electronic communications means, including videoconferencing if already used by the School Board;
- provides the public with the opportunity to comment at those meetings when public comment is customarily received; and
- otherwise complies with the provisions of the Virginia Freedom of Information Act.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held are stated in the minutes of the meeting.

The provisions of this section are applicable only for the duration of the declared emergency.

Adopted: August 16, 2007  
Revised: December 20, 2007  
Revised: June 19, 2008  
Revised: June 25, 2013  
Revised: June 26, 2014  
Revised: June 20, 2017  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3701, 2.2-3707, 2.2-3708.2, 2.2-3708.3, 2.2-3710.

# SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDD  
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Cross Ref.:	BCE	School Board Committees
	BCEA (optional)	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	<del>BDD</del> - <u>BDDA</u>	Notification of Meetings
	BDDG	Minutes
	<u>BDDL (optional)</u>	<u>Electronic Participation in Committee Meetings from Remote Locations</u>

## NOTIFICATION OF MEETINGS

### Regular Meetings

The School Board and any committees thereof give notice of the date, time, and location of their regular meetings by posting such notice on its website, if any, placing a notice in a prominent public location at which notices are regularly posted and in the office of the clerk of the School Board at least three working days prior to the meeting. In addition, the School Board and any committees thereof publish notice of their meetings by electronic means whenever feasible.

At least one copy of the proposed agenda and all agenda packets and other nonexempt materials furnished to members of the School Board and any committees thereof is made available for public inspection at the same time the documents are furnished to members of the School Board or committee.

### Special Meetings

Notice, reasonable under the circumstance, of special, emergency or continued meetings is given contemporaneously with the notice provided to members of the School Board or committee.

Notification of Closed Meetings Held Solely for the Purpose of Interviewing Candidates for the Position of Superintendent

The notice provisions described above do not apply to closed meetings of the Board held solely for the purpose of interviewing candidates for the position of superintendent. Prior to any such closed meeting the School Board announces in an open meeting that such closed meeting will be held at a disclosed or undisclosed location within fifteen days thereafter.

### Direct Notification

Notice of all School Board meetings and committee meetings is furnished directly to any person who requests such information. Requests to be notified of all meetings should be made at least once a year in writing and include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. Unless the person making the request objects, the school division may provide electronic notice of all meetings in response to such requests.

Adopted: August 6, 1998  
Revised: October 16, 2003  
Revised: December 20, 2007  
Revised: June 19, 2009  
Revised: June 25, 2013  
Revised: June 20, 2017

Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3712.

Cross Refs.:	BCE	School Board Committees
	BCEA	Disciplinary Committee
	BCF	Advisory Committees to the School Board
	BDA	Regular School Board Meetings
	<u>BDD</u>	<u>Electronic Participation in School Board Meetings from Remote Locations</u>
	BDB	Special School Board Meetings
	<u>BDDL (Optional)</u>	<u>Electronic Participation in Committee Meetings from Remote Locations</u>

**VOTING METHOD**

Each School Board member’s vote on every decision is recorded in the minutes of the meeting. The minutes of the meeting also reflect the method and result of all votes. No votes are taken by secret or written ballot.

In any case in which there is a tie vote of the School Board when all members are not present, the question shall be passed by until the next meeting when it will again be voted upon even though all members are not present.

Adopted: August 6, 1998  
Revised: October 16, 2003  
Revised: December 20, 2007  
Reviewed: June 25, 2013  
Revised: June 26, 2014  
Revised: January 8, 2015  
Reviewed: August 1, 2019  
Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3710, 22.1-57.3, 22.1-75.

Cross Refs.: BDD Electronic Participation in School Board Meetings  
From Remote Locations  
BDDG Minutes  
BDDL (Optional) Electronic Participation in Committee Meetings from Remote  
Locations

## MINUTES

Minutes are taken at all open meetings, approved by the School Board in regular session, signed by the clerk and chairman of the Board, and kept and stored in accordance with the provisions of the Code of Virginia.

Minutes of open School Board meetings are posted on the school division's website within seven working days of their final approval.

Draft minutes and all other records of open meetings, including audio or audio/visual records, are public records open pursuant to the Virginia Freedom of Information Act as described in Policy KBA Requests for Public Records and Regulation KBA-R Requests for Public Records.

Minutes may be taken during closed meetings of the School Board, but are not required. Such minutes are not subject to mandatory public disclosure.

Minutes are not required to be taken at deliberations of study commissions or study committees, or any other committees or subcommittees appointed by the School Board except where the membership of any such commission, committee or subcommittee includes a majority of the School Board. If minutes are required, they are posted on the school division's website within seven working days of their final approval.

Minutes are in writing and include, but are not limited to

- the date, time, and location of the meeting;
- the members of the School Board recorded as present and absent;
- a summary of the discussion on matters proposed, deliberated or decided; and
- a record of any votes taken.

Adopted: August 6, 1998  
Revised: October 16 2003  
Revised: December 20, 2007  
Reviewed: June 19, 2008  
Revised: June 25, 2013  
Revised: June 20, 2017  
Revised: August 1, 2019  
Revised: August 4, 2022  
Revised: April 13, 2023  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3707, 2.2-3707.2, 2.2-3712, 22.1-74.

Cross Refs.: BDC Closed Meetings

SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDDG

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BDD	Electronic Participation in <u>School Board</u> Meetings from Remote Locations
<u>BDDL (Optional)</u>	<u>Electronic Participation in Committee Meetings from Remote Locations</u>
KBA	Requests for Public Records
KBA-R	Requests for Public Records

**ELECTRONIC PARTICIPATION IN COMMITTEE MEETINGS  
FROM REMOTE LOCATIONS**

Generally

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

The minutes of meetings conducted in accordance with this policy, if any, include (i) the identity of the members of the committee who participated in the meeting through electronic communication means, (ii) the identity of the committee members who were physically assembled at one physical location, and (iii) the identity of the members of the committee who were not present at the location identified in (ii) but who monitored such meeting through electronic communication means.

Members of the School Board are permitted to attend any closed meeting held by any committee of the School Board or any committee created to advise the School Board. The minutes of the committee, if any, include the identity of any School Board member who attends a closed meeting of the committee.

Definitions

"All-virtual public meeting" means a public meeting (i) conducted by the committee using electronic communication means, (ii) during which all members of the committee who participate do so remotely rather than being assembled in one physical location, and (iii) to which public access is provided through electronic communication means.

"Committee" means a committee, subcommittee, or other entity however designated of the School Board created to perform delegated functions of the School Board or to advise the School Board. It does not exclude any such committee, subcommittee, or entity because it has private sector or citizen members.

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Remote participation" means participation by an individual member of the committee by electronic communication means in a public meeting where a quorum of the committee is otherwise physically assembled.



Quorum Physically Assembled (Individual Remote Participation)

Members of the committee may use remote participation instead of attending a meeting in person if, in advance of the meeting, each committee member seeking to use remote participation notifies the committee chair that:

- the committee member has a temporary or permanent disability or other medical condition that prevents the committee member's physical attendance;
- a medical condition of a member of the committee member's family requires the committee member to provide care that prevents the committee member's physical attendance;
- the committee member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or
- the member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. However, the member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

The committee chair reports such requests, if any, to the committee at the beginning of each meeting. Those members of the committee assembled at the primary meeting location must consider the requests for remote participation from each committee member seeking to use remote participation prior to the committee member participating in the meeting. The requests, as reported by the committee chair, and the votes on each committee member's request are recorded in the minutes, if any.

If participation by a committee member through electronic communication means is approved, the committee records in its minutes, if any, the remote location from which the committee member participated. The remote location need not be open to the public and may be identified in the minutes, if any, by a general description.

If participation is approved based on a temporary or permanent disability or other medical condition of the committee member or a member of the committee member's family, the committee includes in its minutes, if any, the fact that the committee member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the committee member's physical attendance or (ii) a family member's medical condition that required the committee member to provide care for such family member, thereby preventing the committee member's physical attendance.

If participation is approved because the committee member's principal residence is more than 60 miles from the meeting location, the committee includes in its minutes, if any, the fact that the committee member participated through electronic communication means due to the distance between the committee member's principal residence and the meeting location.

If participation is approved because of a personal matter, the committee includes in its minutes, if any, the specific nature of the personal matter cited by the committee member.

If a committee member's participation from a remote location is disapproved, such disapproval is recorded in the minutes, if any, with specificity.

### All-Virtual Public Meetings

Committees of the School Board and committees appointed to advise the School Board may conduct all-virtual public meetings when

- the required notice of the meeting indicates whether the meeting will be in-person or all-virtual along with a statement notifying the public that the method by which the committee chooses to meet will not be changed unless the committee provides a new meeting notice in accordance with the provisions of Va. Code § 2.2-3707;
- public access to the all-virtual public meeting is provided via electronic communication means;
- the electronic communication means used allows the public to hear all members of the committee participating in the all-virtual public meeting and, when audio-visual technology is available, to see the members of the committee;
- a phone number or other live contact information is provided to alert the committee if the audio or video transmission of the meeting provided by the committee fails, the committee monitors such designated means of communication during the meeting, and the committee takes a recess until public access is restored if the transmission fails for the public;
- a copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of the committee for a meeting is made available to the public in electronic format at the same time that such materials are provided to members of the committee;
- the public is afforded the opportunity to comment through electronic means, including by way of written comments, at those public meetings when public comment is customarily received; and
- no more than two members of the committee are together in any one remote location unless that remote location is open to the public to physically access it.

If a closed session is held during an all-virtual public meeting, transmission of the meeting to the public resumes before the committee votes to certify the closed meeting as required by subsection D of Va. Code § 2.2-3712;

The committee does not convene an all-virtual public meeting (i) more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, or (ii) consecutively with another all-virtual public meeting.  
Adopted:

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SCHOOL BOARD GOVERNANCE AND OPERATIONS

File: BDDL  
(Optional)  
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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3701, 2.2-3707, 2.2-3708.3,  
2.2-3711, 2.2-3712.

Cross Ref.: BCE School Board Committees  
BCEA (Optional) Disciplinary Committee  
BCF Advisory Committees to the School Board  
BDD Electronic Participation in School Board Meetings from  
Remote Locations  
BDDA Notification of Meetings  
BDDC Calling and Certification of Closed Meetings  
BDDG Minutes

**SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES**

Members of Charlottesville City School Board participate annually in high-quality professional development activities at the state, local, or national levels on governance, including personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision-making; and current issues in education as part of their service on the Board.

Each elected board member completes a training session on the Virginia Freedom of Information Act (FOIA) provided by the Virginia Freedom of Information Advisory Council or the Board’s attorney within two months of assuming office and thereafter at least once every two calendar years.

Each ~~elected~~ board member completes a training session for local elected officials on the State and Local Government Conflict of Interests Act (COIA) provided by the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council) within two months of assuming office and thereafter at least once every two calendar ~~years~~. years.

The school board clerk maintains records of the dates on which each ~~elected~~ school board member completed the required FOIA and COIA training sessions. The records are maintained in the clerk’s office for five years.

- Adopted: August 6, 1998
- Revised: December 20, 2007
- Revised: June 19, 2008
- Revised: June 25, 2013
- Reviewed: June 20, 2017
- Revised: August 4, 2022
- Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3132, ~~2.2-3704~~, 2.2-3704.3, 22.1-78, 22.1-253.13:5.

Cross Ref.: BBFA Conflict of Interests and Disclosure of Economic Interests  
BCC School Board Clerk

## QUALIFICATIONS AND DUTIES FOR THE SUPERINTENDENT

### QUALIFICATIONS

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

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

### MAJOR DUTIES<sup>1</sup>

As chief executive officer of the school board, the superintendent

- attends school board meetings, (pending legal advice - will be added before approval)
- implements school board policies and ensures that they are posted on the division's website,
- reports to the school board about the status of programs, personnel and operations of the school division,
- recommends actions to the school board,
- facilitates communication between the school board and school personnel,
- assists the chairman in developing agenda of meetings of the school board, and
- develops regulations as directed by the school board.

As the educational leader of the school division, the superintendent

- supervises the principals and assistant superintendents,
- oversees planning and evaluation of curriculum and instruction,
- develops for approval by the school board procedures for adopting textbooks and other instructional materials,
- visits schools on a regular basis, and
- maintains a current knowledge of developments in curriculum and instruction.

The superintendent enforces school laws and regulations, including by

- observing directions and regulations prescribed by the Superintendent of Public Instruction or Board of Education,
- reporting information to the Superintendent of Public Instruction as required,

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**<sup>1</sup>FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.**

School boards that approve collective bargaining should define the superintendent's role related to collective bargaining and include that role in this policy.

## GENERAL SCHOOL ADMINISTRATION

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- promptly distributing all reports, forms, laws and regulations received from the Superintendent of Public Instruction,
- enforcing school laws, regulations and decisions of the Superintendent of Public Instruction and of the Board of Education, and
- developing and maintaining procedures, guidelines and regulations to implement school board policy. If board action is required by law or the board has specifically asked that certain types of regulations be given prior board approval, these procedures, regulations and guidelines are presented to the school board for approval and, when approved, placed in the school board policy manual. The administrative procedures, guidelines and regulations are communicated to the staff and made available for their information.

The superintendent oversees staff personnel management, including by

- organizing recruitment of personnel,
- reassigning personnel in accordance with school board policy,
- administering personnel policies and programs,
- upon request of the School Board, surveying the school division at least annually to identify critical shortages of teachers and administrative personnel by subject ~~matter~~ matter, specialized student support positions, and school bus drivers and reporting such critical shortages to the School Board, the Superintendent of Public Instruction, and the Virginia Retirement System;
- ~~supervising evaluation of personnel, and personnel.~~
- ~~providing for maintenance of up-to-date job descriptions for all personnel: personnel, and~~
- annually designating a division employee as the division safety official whose duty it is to receive reports pursuant to subsection A of Va. Code §§ 19.2-83.1, 19.2-291.1, and 19.2-299.3 and including such designation in the collated packet of school safety audits submitted to the Virginia Center for School and Campus Safety. The designation includes updated contact information for the division safety official, including (i) a current mailing address, (ii) a current working daytime phone number, (iii) a current functional email address, and (iv) a current functional fax number. The superintendent updates this contact information within 48 hours of any change to such information.

Specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions, which may either be employed by the School Board or provided through contracted services.

The superintendent oversees facility management, including by

- preparing long- and short-range plans for facilities and sites,
- providing for the maintenance of school property and safety of personnel and property,

## GENERAL SCHOOL ADMINISTRATION

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- inspecting, or providing for the inspection of, school property on a regular basis,
- overseeing the utilization of school property,
- monitoring any construction, renovation and demolition of school facilities,
- representing the school division before local or state agencies which control building requirements or provide financing for buildings, and
- closing public school buildings which appear to be unfit for occupancy.

The superintendent oversees financial management by

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

The superintendent directs community relations activities, including by

- articulating educational programs and needs to the community,
- responding to concerns expressed in the community,
- maintaining contact with the news media,
- participating in community affairs, and
- involving the community in planning and problem solving for the school division.

The superintendent oversees pupil personnel services by

- monitoring pupil personnel services,
- providing for an adequate pupil record system,
- implementing policies and programs relating to behavior and discipline of pupils,
- maintaining programs for the health and safety of pupils, and
- facilitating communication between the school division and community agencies.

Adopted: April 3, 1998  
Revised: December 11, 2003  
Revised: December 20, 2007  
Revised: June 16, 2011  
Revised: June 30, 2015  
Revised: June 20, 2019  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: June 17, 2021  
Adopted:

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GENERAL SCHOOL ADMINISTRATION

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

Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-59, 22.1-68, 22.1-69, 22.1-70.3, 22.1-79, 22.1-136; 22.1-253.13:2, 22.1-253.13:5, 22.1-253.13:7.

8 VAC 20-23-50.  
8 VAC 20-23-630.  
8 VAC 20-390-10.  
8 VAC 20-390-40.  
8 VAC 20-390-50.  
8 VAC 20-390-60.  
8 VAC 20-390-70.  
8 VAC 20-390-80.  
8 VAC 20-390-90.  
8 VAC 20-390-100.  
8 VAC 20-390-110.

Cross Refs.: BBA School Board Powers and Duties  
EB School Crisis, Emergency Management, and Medical Emergency  
Response Plan



### **APPOINTMENT AND TERM OF THE SUPERINTENDENT**

The School Board appoints the superintendent from the list of eligibles certified by the Board of Education and determines the term of employment. The superintendent's term expires on June 30. The superintendent serves an initial term of not less than two years nor more than four years. At the expiration of the initial term, the superintendent is eligible to hold office for the term specified by the School Board, not to exceed four years.

Except as provided below, if the School Board fails to appoint a division superintendent within 180 days of a vacancy, the Virginia Board of Education will appoint a superintendent for the division.

If the School Board has not appointed a superintendent within 120 days of a vacancy, it will submit a written report to the Superintendent of Public Instruction demonstrating its timely efforts to make an appointment and containing a status report with a timeline for making the appointment prior to the 180-day deadline. On request, the School Board will be granted up to an additional 180 days within which to appoint a superintendent.

If the School Board does not appoint a superintendent within 180 days of a vacancy, or request additional time within which to make the appointment, it will immediately notify the Virginia Board of Education, in writing, of its failure to make an appointment. If there has been no extension, within 30 days of the 180<sup>th</sup> day after the vacancy occurs, the School Board will submit, in writing, its preferred candidate(s), not to exceed three, for the position. The Virginia Board of Education may consider these candidates and other eligible individuals. The Virginia Board of Education may authorize the State Superintendent of Public Instruction to conduct the search for a division superintendent.

If the Virginia Board of Education appoints a superintendent, the contract for the superintendent will be negotiated by the School Board.

Adopted: April 3, 1998  
Revised: December 20, 2007  
Revised: June 17, 2010  
Revised: June 30, 2015  
Revised: June 19, 2018  
Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-58, 22.1-60, 22.1-61.

Procedures for Appointment of a School Division Superintendent by the Virginia Board of Education (adopted by the Virginia Board of Education March 22, 2006)

GENERAL SCHOOL ADMINISTRATION

File: CBB  
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(available at  
[http://www.pen.k12.va.us/VDOE/VA\\_Board/Meetings/2006/mar22min.pdf](http://www.pen.k12.va.us/VDOE/VA_Board/Meetings/2006/mar22min.pdf))

Cross Refs.: CBA Qualifications and Duties of the Superintendent  
CBD Superintendent's Compensation and Benefits  
CBG Evaluations of the Superintendent

### ANNUAL BUDGET

The annual school budget is the financial outline of the division's education program. It presents a proposed plan of expenditures and the expected means of financing those expenditures. After adoption, it provides the primary means of managing expenditures.

The fiscal year begins on the first day of July and ends on the thirtieth day of the following June.

The superintendent prepares, with the approval of the School Board, and submits to the appropriating body, an estimate of the amount of money needed during the next fiscal year for the support of the public schools of the school division. The estimate sets up the amount of money needed for each major classification prescribed by the Board of Education and such other headings or items as may be necessary.

The superintendent or superintendent's designee prepares a budget calendar identifying all deadlines for the annual budgetary process. The calendar includes at least one work session for reviewing the budget and at least one public hearing on the budget. Notice of the time and place for the public hearing is published at least ~~ten~~ seven days in advance, in a newspaper having general circulation within the school division.

Upon approval of the school division's budget by the appropriating body, the school division publishes the approved budget in line item form, including the estimated required local match, on its website and the document is also made available in hard copy as needed to citizens for inspection.

Adopted: June 19, 2008  
Revised: June 18, 2009  
Revised: June 16, 2011  
Reviewed: June 27, 2016  
Revised: August 6, 2020  
Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2500, 22.1-91, 22.1-92, 22.1-93.

## **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~~ 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.

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:

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

FISCAL MANAGEMENT

File: DJF  
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Cross Refs.: GCDA  
IGBGA  
KN

Effect of Criminal Conviction  
Online Courses and Virtual School Programs  
Sex Offender and Crimes Against Minors Registry  
Information

**SCHOOL CRISIS, EMERGENCY MANAGEMENT AND  
MEDICAL EMERGENCY RESPONSE PLAN**

Each school develops a written school crisis, emergency management and medical emergency response plan as defined below. The School Board includes the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, in the development of such plans. The School Board, the chief law-enforcement officer, the fire chief, the chief of the emergency medical services agency, the executive director of the regional emergency medical services council, and the emergency management official of the locality, or their designees, annually review each school's plan. The Department of Education and the Virginia Center for School and Campus Safety (VCSCS) will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the ~~Virginia Center for School and Campus Safety~~. VCSCS.

The School Board designates the Chief Operations Officer as emergency manager. In the event the Emergency Manager is not available, the Director of Student Services and Achievement will serve as the alternate.

Each school annually conducts school safety audits as defined below in collaboration with the chief law-enforcement officer of the locality or with that officer's designee. The results of such school safety audits are made public within 90 days of completion. The School Board may withhold or limit the release of any security plans, walk-through checklists and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The completed walk-through checklist will be made available upon request to the chief law-enforcement officer of the locality or that officer's designee. Each school maintains a copy of the school's safety audit, which may exclude such security plans, walk-through checklists and vulnerability assessment components, within the office of the school principal and makes a copy of such report available for review upon written request.

Each school submits a copy of its school safety audit to the superintendent. The superintendent collates and submits all such school safety audits, in the prescribed format and manner of submission, to the ~~Virginia Center for School and Campus Safety~~ VCSCS and shall make available upon request to the chief law-enforcement officer of the locality the results of such audits for the officer's review and recommendation. The superintendent includes the designation of the division safety official, which includes a current mailing address, a current working daytime phone number, a current functional email address, and a current functional fax number, with the school safety audits when they are submitted to VCSCS.

The superintendent establishes a school safety audit committee to include, if available, representatives of parents, teachers, local law-enforcement, emergency services agencies, local community services boards and judicial and public safety personnel. The school safety

## SUPPORT SERVICES

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audit committee reviews the completed school safety audits and submits any plans, as needed, for improving school safety to the superintendent for submission to the School Board.

“School crisis, emergency management, and medical emergency response plan” means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to students, personnel or facilities. The plan includes a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in Va. Code § 19.2-11.01, as well as current contact information for both.

“School safety audit” means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses include recommendations for structural adjustments, changes in school safety procedures and revisions to the Standards of Student Conduct. The audit is consistent with a list of items ~~to be reviewed and evaluated~~ identified by ~~the Virginia Center for School and Campus Safety~~. VCSCS to be reviewed and evaluated. As part of each audit, the School Board creates a detailed and accurate floor plan for each school building or certifies that the existing floor plan is sufficiently detailed and accurate.

Each school has contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.

In addition, the school administration ensures that the school has:

- written procedures to follow in emergencies such as fire, injury, illness, allergic reactions and violent or threatening behavior. The procedures include Policy JHCD Administering Medicine to Students. The plan is outlined in the student handbook and discussed with staff and students during the first week of each school year;
- space for the proper care of students who become ill;
- a written procedure, in accordance with guidelines established by the School Board, for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and



## SUPPORT SERVICES

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- written procedures to follow for the safe evacuation of persons with special physical, medical or language needs who may need assistance to exit a facility.

Adopted: April 3, 1998  
Amended: April 15, 1999  
Amended: February 19, 2004  
Amended: August 16, 2007  
Amended: May 15, 2008  
Amended: June 18, 2009  
Amended: July 5, 2012  
Amended: June 25, 2013  
Revised: June 26, 2014  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: August 4, 2022  
Adopted:

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Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-279.8.

~~Acts 2006, c. 164.~~

8 VAC 20-131-260.

Cross Refs.:	<u>CBA</u>	<u>Qualifications and Duties for the Superintendent</u>
	CLA	Reporting Acts of Violence and Substance Abuse
	EBAA	Reporting of Hazards
	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	EBCB	Safety Drills
	EEAB	School Bus Scheduling and Routing
	GBEB	Staff Weapons in School
	JFC	Student Conduct
	JFCD	Weapons in School
	JFCE	Gang Activity or Association
	JHCD	Administering Medicines to Students
	JHH	Suicide Prevention
	JM	Restraint and Seclusion of Students
	JO	Student Records
	KK	School Visitors

## 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.

## SUPPORT SERVICES

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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.

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:

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

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

## FOOD SERVICES

### Generally

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

The School Board does not file lawsuits against a student or the student's parent because the student cannot pay for a meal at school or owes a school debt.

Neither the ~~BLANK~~ Charlottesville City School Board nor any employee of the Board denies any student the opportunity to participate in any extracurricular activity because the student cannot pay for a meal at school or owes a school meal debt.

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

If any school in the division has a student population that qualifies for free and reduced-price meals at a minimum percentage of 50 percent in the prior school year and simultaneously offers educational or enrichment activities, the School Board ~~applies~~ may apply to the Virginia Department of Education for such school to participate in the Afterschool Meal Program administered by the U.S. Department of Agriculture Food and Nutrition (FNS) Child and Adult Care Food Program (CACFP) to subsequently and simultaneously serve federally reimbursable meals and offer an afterschool education or enrichment program pursuant to FNS guidelines and state health and safety standards.

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

The ~~BLANK~~ Charlottesville City School Board may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose.

### Free and Reduced Price Food Services

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or superintendent's designee establishes regulations or procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced price meals and milk is publicly announced at the beginning of each school year and provided to parents of all children in attendance at ~~BLANK~~ Charlottesville City public schools.

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

For any school not operating under the Community Eligibility Provision (CEP) to provide free meals for all students, each elementary and secondary school processes each web-based and paper-based application for participation in the School Breakfast Program or the National School Lunch Program within six working days after the date of receipt of the completed application.

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

~~The superintendent is responsible for establishing procedures by which excess food may be distributed to enrolled students eligible for the School Breakfast Program or National School Lunch Program administered by the U.S. Department of Agriculture, saving excess food for later consumption, or donating food. The superintendent's procedures identify which students are eligible to receive excess food.~~

#### Definitions

"Competitive food" means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day. Competitive foods meet the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium.

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

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

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

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

## School Sponsored Fundraisers

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

## Unpaid Meal Charges

Students who do not have money on account or in hand to cover the cost of a meal at the time of service are permitted to charge the meal ~~OR [may be given an alternative meal OR [insert local practice]].~~ ~~Students may charge no more than [\$ \_\_\_ OR \_\_\_ meals] to their accounts.~~

~~A student carrying a negative balance of \$ \_\_\_ or more is not permitted to charge any additional amounts. A student who is not permitted to charge any additional amounts is permitted to buy a meal if the student has cash on hand. Reasonable efforts are used to avoid calling attention to a student's inability to pay.~~

Notice of low or negative balances in a student's meal account are sent to parents and the school principal. Parents are expected to pay all meal charges in full by the last day of the school year.

If a parent/guardian regularly fails to provide meal money or send food to school with the student and the student does not qualify for free or reduced benefits, the child nutrition director will inform the principal, who will determine the next course of action, which may include notifying the department of social services of suspected child neglect.

Debt not paid within 10 days after the school year has ended is considered bad debt for the purposes of federal law concerning unpaid meal charges.

The superintendent or superintendent's designee ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt. A la carte foods are not part of the School Lunch Program and cannot be charged. ~~order to accomplish these goals, the following procedures are followed:~~

- ~~• At least one written notice is provided prior to the student being denied reimbursable meals for exceeding the division's charge limit.~~
- ~~• If payment of the negative balance is not received within \_\_\_ working days of the maximum charge limit being reached, the debt will be turned over to the superintendent or superintendent's designee for collection. If the debt is not paid within \_\_\_ days of notice being given, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.~~

## Recordkeeping

The ~~BLANK~~ Charlottesville City School Board is responsible for maintaining records that document compliance with this policy. Those records include documentation used to assess the nutritional profile of food items and determine whether a food item is an allowable

competitive food, such as recipes, nutrition labels and/or product specifications for the competitive food available for sale to students.

~~The School Board is also responsible for~~

- ~~● maintaining records documenting compliance with the competitive food nutrition standards for food available for sale in areas that are outside of the control of the school nutrition programs operations,~~
- ~~● ensuring any organization or school activity designated as responsible for food service at the various venues in the school, other than the school nutrition programs, maintains records documenting compliance with the competitive food nutrition standards,~~
- ~~● maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school within the division, and~~
- ~~● designating an individual at the division or school level to monitor and ensure compliance with this policy in all areas that are outside the control of the school nutrition programs operation. The designee may not be a school nutrition personnel.~~

Adopted: April 3, 1998  
Revised: May 15, 2008  
Revised: June 18, 2009  
Reviewed: June 26, 2014  
Revised: January 8, 2015  
Revised: June 20, 2017  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised: August 4, 2022  
Adopted:

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

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

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

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

Code of Virginia, 1950, as amended, §§ 22.1-79.7, 22.1-207.2:2, 22.1-207.3, 22.1-207.3:1, 22.1-207.4, 63.2-1509.

8 VAC 20-740-10.

8 VAC 20-740-30.

8 VAC 20-740-35.

8 VAC 20-740-40.

Cross Refs:	<u>BBA</u>	<u>School Board Powers and Duties</u>
	GAE	Child Abuse and Neglect Reporting
	JHCF	Student Wellness
	KH	Public Gifts to the Schools



**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;

## PERSONNEL and INSTRUCTION

File: GAB/IIBEA

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- (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.

PERSONNEL and INSTRUCTION

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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:

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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

PERSONNEL

**STAFF HEALTH**

As a condition of employment every new employee of the School Board including teachers, cafeteria workers, janitors and bus drivers, ~~shall~~ must submit a certificate signed by a licensed physician, physician assistant, ~~nurse-practitioner~~ advanced practice registered nurse, or registered nurse stating the employee appears free of communicable tuberculosis. Volunteers may be required to provide such a certificate.<sup>1</sup>

After consulting with the local health director, the School Board may require the submission of such certificates annually, or at such intervals as it deems appropriate, as a condition to continued employment.

Adopted: March 20, 2008  
Revised: June 16, 2011  
Reviewed: June 27, 2016  
Revised: August 6, 2020  
Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-300, 54.1-2952.2, 54.1-2957.02.

Cross Ref.: EBAB Possible Exposure to Viral Infections  
EBBB Personnel Training—Viral Infections  
GDQ School Bus Drivers  
JHCC Communicable Diseases  
JHCCA Blood-Borne Contagious or Infectious Diseases

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<sup>1</sup>FOOTNOTES ARE FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM FINAL POLICY.

School boards which do not require volunteers to provide such a certificate should remove this sentence from their policy.

## PERSONNEL

File: GBEC  
(also JFCH and KGC)

### TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

#### Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

#### Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: July 16, 1998

Revised: June 19, 2008

Revised: June 18, 2009

Revised: June 26, 2014

Revised: August 1, 2019

Adopted:

## PERSONNEL

File: GBEC  
(also JFCH and KGC)

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
~~JFC-R Standards of Student Conduct~~  
JFCH/KGC Tobacco Products and Nicotine Vapor Products  
KG Community Use of School Facilities  
KGB Public Conduct on School Property

**PROFESSIONAL STAFF**

No teacher shall be regularly employed by a school board or paid from public funds unless such teacher

- holds a license teacher license or provisional license issued by the Board of Education,
- holds a three-year license to teach high school career and technical education courses in specialized subject areas or
- is hired to teach in a trade and industrial education program and for whom the teacher licensure requirements have been waived by the Virginia Department of Education.

If a teacher employed under a provisional license is activated or deployed for military service within a school year (July 1-June 30), an additional year will be added to the teacher's provisional license for each school year or portion thereof the teacher is activated or deployed. The additional year shall be granted the year of the return of the teacher from deployment of activation.

The superintendent may request that the Board of Education extend the three-year provisional license of a teacher for at least one year but no more than two additional years. The request must be accompanied by satisfactory performance evaluations for the teacher for each year during the original three-year provisional license that such teacher was actually employed and received a filed performance evaluation.

The Virginia Board of Education prescribes, by regulation, the requirements for licensure for teachers and other school personnel required to hold a license. On the recommendation of the superintendent, the School Board may waive applicable licensing requirements as specified Va. Code § 22.1-298.1 for any individual the School Board seeks to employ as a career and technical teacher who is also seeking initial licensure or renewal or a license with an endorsement in the area of career and technical education.

Adopted: February 19, 1998  
Revised: March 4, 2004  
Revised: March 20, 2008  
Revised: June 19, 2008  
Revised: June 30, 2015  
Reviewed: June 17, 2021  
Revised:

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-298 and 22.1-299

**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~~; child or the solicitation of any such offenses; 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 any offense involving the sexual molestation, physical or sexual abuse or rape of a ~~child~~; child or the solicitation of any such offenses.

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 § 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, providing 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 in may employ any individual who has been the subject of a founded case or child abuse and neglect. Any person making a materially false statement regarding a finding of child abuse and neglect ~~shall be~~ is guilty of a Class 1 misdemeanor and upon conviction, the fact of ~~said such~~ conviction shall be is grounds for the Board of Education to revoke such person's license to teach.



## PERSONNEL

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

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

If an applicant is denied employment because of information appearing on 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

## PERSONNEL

File: GCDA  
Page: 3 of 4

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 applicant'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 the employee is or becomes the subject of a founded complaint of child abuse and neglect and after all rights to an appeal provided by Va. Code § 63.2-1526 have been exhausted. The fact of such finding, after all, rights to an appeal provided by Va. Code § 63.2-1526 have been

# PERSONNEL

File: GCDA  
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exhausted, shall be grounds for the local school division to recommend that the Board of Education revoke such person's license to teach.

### III. COURT ORDERED PROBATION

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

### IV. COST OF FINGERPRINTING, CRIMINAL RECORD AND ABUSE AND NEGLECT CHECK

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:

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

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

## PERSONNEL

File: GCE  
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### ~~PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT~~ SUBSTITUTE TEACHERS

#### Substitute Teachers

Substitute teachers shall: must

- be at least 18 years old, ~~with preference given to persons 21 years old or older~~ old;
- ~~possess good moral character;~~
- hold a high school diploma or have passed a high school equivalency examination approved by the Board of Education;
- ~~attend orientation to school policies and procedures; and~~
- **[INSERT OTHER QUALIFICATIONS DESIRED BY YOUR SCHOOL BOARD].**

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

A substitute teacher, as used in this ~~section~~ 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 Charlottesville City School Board may employ a substitute teacher to fill such a vacancy for a period not to exceed 180 days during one school year.

#### Homebound Teachers

~~Homebound teachers shall be employed on a part-time, hourly basis. They shall be selected from the active file of applicants in the Personnel Office or from the approved substitute teacher list and shall hold a valid teaching certificate.~~

#### Part-Time Teachers

~~An employee working less than 180 days or less than six (6) hours per day or who is restricted to temporary or interim employment is considered part-time.~~

~~Part-time teachers shall meet the certification requirements of the State Board of Education.~~

#### Summer School Teachers

~~Summer school teachers shall meet all certification requirements.~~

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Interns

~~Arrangements for the utilization of interns in the school division should be initiated through the superintendent.~~

~~Student Teachers~~

~~The school division shall accept student teachers only from accredited institutions. All student teachers shall meet the same health requirements as all other personnel. The superintendent shall have the responsibility for the assignment and placement of student teachers in the school system.~~

~~Student teachers shall not be used as substitute teachers.~~

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:

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

Acts 2023, c.641.

Cross Ref.: 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

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### PROFESSIONAL STAFF DEVELOPMENT

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

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

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

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

Effective for the 2024-2025 school year, the Board will provide 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

## PERSONNEL

File: GCL  
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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, 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.

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.

~~Each teacher and INSERT LIST HERE, employed on a full-time basis, is~~ All employees are required to complete a mental health awareness training or similar program.

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. Each employee required to complete cultural competency training must complete at least one such training no later than the beginning of the 2022-2023 school year.

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



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Revised: August 6, 2020  
Revised: June 17, 2021  
Revised: August 17, 2022  
Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-23.3, 22.1-253.13:5, 22.1-276.01, 22.1-291.4, ~~22.1-298.6 and 22.1-298.7.~~ 22.1-298.6, 22.1-298.7, and 22.1-298.8.

**OFF-SITE INSTRUCTION AND VIRTUAL COURSES****Homebound Instruction**

The Charlottesville City School Board maintains a program of homebound instruction for students who are confined at home or in a health care facility for periods that would prevent normal school attendance based upon certification of need by a licensed physician, physician assistant, ~~nurse practitioner~~, advanced practice registered nurse, or clinical psychologist.

Credit for the work is awarded when it is done under the supervision of a licensed teacher qualified in the relevant subject areas and employed by the School Board, and there is evidence that the instructional time requirements or alternative means of awarding credit adopted by the School Board have been met.

**Virtual Courses**

Students may enroll in and receive a standard and verified unit of credit for supervised virtual courses with prior approval of the principal. The superintendent is responsible for developing regulations governing this method of delivery of instruction that include the provisions of 8 VAC 20-131-110 and the administration of required Standards of Learning tests prescribed by 8 VAC 20-131-30. For courses offered for possible high school credit, standard units of credit are awarded for successful completion of such courses when the course is equivalent to that offered in the regular school program and the work is done under the supervision of a licensed teacher qualified in the relevant subject areas. A verified unit of credit may be earned when the student has successfully completed the requirements specified in 8 VAC 20-131-110.

Adopted: July 16, 1998

Revised: April 17, 2008

Revised: June 17, 2010

Revised: June 16, 2011

Revised: June 25, 2013

Revised: June 27, 2016

Revised: June 19, 2018

Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:3, 54.1-2952.2,  
54.1-2957.02.

8 VAC 20-131-180.

Cross Ref.: IGBGA  
IKFD

Online Courses and Virtual School Programs  
Alternative Paths to Attaining Standard Units of Credit

### **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 by division employees and students 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

## PERSONNEL and INSTRUCTION

File: IBEA/GAB

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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 shall 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  
Adopted:

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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

## THE VIRGINIA ASSESSMENT PROGRAM AND GRADUATION REQUIREMENTS

### Generally

The Board of Education has established educational objectives known as the Standards of Learning (SOLs), which form the core of Virginia's educational program, and other education objectives, which together are designed to ensure the development of the skills that are necessary for success in school and in preparation for life in the years beyond.

The Charlottesville City School Board has developed and implemented a program of instruction that is aligned to the Standards of Learning and that meets or exceeds the requirements of the Board of Education. It awards diplomas to all secondary school students, including students who transfer from nonpublic schools or from home instruction, who meet the requirements prescribed by the Board of Education and meet such other requirements as are prescribed by the school board and approved by the Board of Education.

The Charlottesville City School Board awards diplomas and certificates in accordance with state laws and regulations. The requirements for a student to earn a diploma and graduate from high school are those in effect when the student enters ninth grade for the first time.

### Children of Certain Federal Employees

In order to facilitate the on-time graduation of children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code enrolled in kindergarten through grade 12, the superintendent or superintendent's designee

- waives specific courses required for graduation if similar coursework has been satisfactorily completed in a local education agency in the state from which the child is sent, brought, or caused to be sent or brought or provides reasonable justification for denial of such waiver. If a waiver is not granted to a student who would qualify to graduate in the state from which the student is sent, brought, or caused to be sent or brought, the school division provides an alternative means of acquiring required coursework so that graduation may occur on time; and
- accepts, in lieu of testing requirements for graduation in Virginia, (i) exit or end-of-course exams required for graduation from the state from which the student is sent, brought, or caused to be sent or brought, (ii) national norm-referenced achievement tests, or (iii) alternative testing acceptable in Virginia.

The parent serving under orders pursuant to Title 22 or 50 of the United States Code must present documents indicating that the parent is required to move in order to perform the parent's job responsibilities and such move results in the student's relocation to the school division.

## Virginia Assessment Program

In kindergarten through eighth grade, where the administration of Virginia Assessment Program tests are required by the Board of Education, each student is expected to take the tests following instruction. Students who are accelerated take the test aligned with the highest grade level, following instruction in the content. No student takes more than one test in any content area in each year, except in the case of expedited retakes as provided for in 8 VAC 20-131-30. Schools use the test results in kindergarten through eighth grade as part of a set of multiple criteria for determining the promotion or retention of students.

Each student in middle and secondary school takes all applicable end-of-course SOL tests following course instruction. The superintendent certifies to the Department of Education that the division's policy for dropping courses ensures that students' course\_schedules are not changed to avoid end-of-course SOL tests. Students who achieve a passing score on an end-of-course SOL test will be awarded a verified unit of credit in that course in accordance with 8 VAC 20-131-110. Students may earn verified credits in any courses for which end-of-course SOL tests are available. Students are not required to take an end-of-course SOL test in an academic subject after they have earned the number of verified credits required for that academic content area for graduation unless such test is necessary in order for the school to meet federal accountability requirements. Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

Participation in the Virginia Assessment Program by students with disabilities is prescribed by provisions of their Individualized Education Program (IEP) or 504 Plan. All students with disabilities are assessed with appropriate accommodations and alternate assessments where necessary.

Any student identified as an English Learner (EL) participates in the Virginia Assessment Program. A school-based committee convenes and makes determinations regarding the participation level of EL students in the Virginia Assessment Program. In kindergarten through eighth grade, EL students may be granted a one-time exemption from SOL testing in the areas of writing, and history and social science.

## Definitions

### Authentic Performance Assessment

An "Authentic Performance Assessment" is a test that complies with guidelines adopted by the Board of Education that requires students to perform a task or create a product that is typically scored using a rubric.

### Standard Unit of Credit

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A “standard unit of credit” or “standard credit” is a credit awarded for a course in which the student successfully completes 140 clock hours of instruction and the requirements of the course. A standard unit of credit may be awarded based on a waiver of the 140 clock hour requirement as provided in Policy IKFD Alternative Paths to Attaining Standard Units of Credit.

### Verified Unit of Credit

A “verified unit of credit” or “verified credit” is a credit awarded for a course in which a student earns a standard unit of credit and completes one of the following:

1. Achieves a passing score on a corresponding end-of-course SOL test.
2. Achieves a passing score on an additional test, as defined in 8 VAC 20-131-5, as a part of the Virginia Assessment Program.
3. Meets the criteria for the receipt of a locally awarded verified credit when the student has not passed a corresponding SOL test.
4. ~~Meets the criteria for the receipt of a verified credit in history and social science by demonstrating mastery of the content of the associated course on an authentic performance assessment that complies with guidelines adopted by the Board of Education.~~
5. Meets the criteria for the receipt of a verified credit for English (writing) by demonstrating mastery of the content of the associated course on an authentic performance assessment that complies with guidelines adopted by the Board of Education.

Students may also earn verified credits by taking alternative tests to the SOL assessment. Such tests may only be those approved by the Virginia Board of Education, and the student may earn verified credits only by achieving that score established by the Board of Education.

### Virginia Assessment Program

The “Virginia Assessment Program” is a system used to evaluate student achievement that includes SOL tests and additional tests that may be approved from time to time by the Board of Education.

Adopted: July 16, 1998  
Revised: October 21, 1999  
Revised: November 21, 2002  
Revised: February 15, 2007  
Revised: September 20, 2007  
Revised: April 17, 2008  
Revised: June 17, 2010  
Revised: June 25, 2013  
Revised: June 27, 2016  
Revised: August 1, 2019  
Adopted:



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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-370, 22.1-371, 22.1-380, 22.1-253.13:1, 22.1-253.13:4.

8 VAC 20-131-5.

8 VAC 20-131-30.

8 VAC 20-131-50.

8 VAC 20-131-51.

8 VAC 20-131-110.

Guidelines for Graduation Requirements; Local Alternative Paths to Standard Units of Credit (Virginia Board of Education Oct. 2015).

Cross Refs.:	IAA	Notification of Learning Objectives
	<u>IGBA</u>	<u>Programs for Students with Disabilities</u>
	IKFA	Locally Awarded Verified Credits
	IKFD	Alternative Paths to Attaining Standard Units of Credit
	IKH	Retaking SOL Assessments

**TESTING PROGRAMS**

A program of standardized testing prescribed by the Virginia Department of Education is administered annually. Standardized tests are administered according to state and local directives. Teachers, parents, principals, and other school leaders are provided with their students' results on any Standards of Learning assessment or Virginia Alternative Assessment Program as soon as practicable after the assessment is administered.

In administering tests or other assessment instruments, School Board employees do not require any public school students being tested to disclose their race or ethnicity on such tests. School division personnel, however, may obtain such information from a student's permanent record and place the information on the test or assessment.

No student or ~~his~~ their parent is required to disclose information related to the student's race or ethnicity unless (i) the student or ~~his~~ their parent is given an option to designate "other" for the students race or ethnicity or (ii) such disclosure is required by federal law.

Adopted: July 16, 1998  
Revised: April 17, 2008  
Revised: June 16, 2011  
Reviewed: June 27, 2016  
Reviewed: June 19, 2018  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-4.2, 22.1-253.13:3.

## COMPULSORY ATTENDANCE

### Generally

Every parent, guardian, or other person having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth birthday shall cause such child to attend a public school or otherwise provide the child with an education in accordance with state law unless the child is exempt from the state's compulsory attendance requirement.

Further, in the case of any five-year-old child, the requirements of this policy may be alternatively satisfied by causing the child to attend any public educational pre-kindergarten program, including a Head Start program, or in a private, denominational, or parochial educational pre-kindergarten program.

As used in this policy, "attend" includes participation in educational programs and courses at a site remote from the school with the permission of the school and in conformity with applicable requirements.

The requirements of this policy apply to

- any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his the child's eighteenth birthday, and
- any child whom the ~~division~~ superintendent has required to take a special program of prevention, intervention, or remediation as provided in Va. Code §§ 22.1-253.13:1.C and 22.1-254.01.

The requirements of this policy do not apply to

- any person 16 through 18 years of age who is housed in an adult correctional facility when such person is actively pursuing the achievement of a passing score on a high school equivalency examination approved by the Board of Education but is not enrolled in an individual student alternative education plan, and
- any child who has obtained a high school diploma or its equivalent, a certificate of completion, or has achieved a passing score on a high school equivalency examination approved by the Board of Education or who has otherwise complied with compulsory school attendance requirements.

### **Individual Student Alternative Education Plan**

The School Board may allow the compulsory attendance requirements to be met pursuant to an individual student alternative education plan developed in conformity with guidelines prescribed by the Board of Education under the following conditions:

1. The student must be at least sixteen years of age.
2. There shall be a meeting of the student, the student's parents, and the principal or

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principal's designee of the school in which the student is enrolled to develop the plan, which must include the following:

- career guidance counseling;
  - mandatory enrollment and attendance in a preparatory program for passing a high school equivalency examination approved by the Board of Education or other alternative education program approved by the School Board, with attendance reported to the principal or principal's designee;
  - mandatory enrollment in a program to earn a Board of Education-approved career and technical education credential, such as the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment;
  - successful completion of the course in economics and personal finance required to earn a Board of Education-approved high school diploma;
  - counseling on the economic impact of failing to complete high school; and
  - procedures for re-enrollment.
3. A student for whom such an individual student alternative education plan has been granted but who fails to comply with the conditions of the plan ~~shall be~~ is in violation of the compulsory attendance laws, and the superintendent or attendance officer shall seek immediate compliance with such laws.

### Alternative Education Programs

The ~~Superintendent, pursuant to regulations adopted by the School Board, may~~ superintendent may, in accordance with the procedures set forth in Va. Code § 22.1-276.01 et seq. and School Board policy and upon a finding that a school-age child has been

- charged with an offense relating to the Commonwealth's laws, or with a violation of School Board policies, on weapons, alcohol or drugs, or intentional injury to another person;
- found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent ~~of the school division~~ pursuant to subsection G of Va. Code § 16.1-260;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled from school attendance pursuant to Va. Code §§ 22.1-277.06, 22.1-277.07, or subsection C of § 22.1-277, require a student to attend an alternative education program as provided by Va. Code §§ 22.1-209.1:2 or 22.1-277.2:1.

Prior to requiring a student to attend an alternative education program, the ~~Superintendent shall provide:~~ superintendent provides (1) written notice to the student and ~~his~~ the student's parent/guardian that the student will be required to attend an alternative education program and (2) written notice to the student and ~~his~~ the student's parent/guardian of the right to a hearing before the superintendent or superintendent's designee regarding the placement. The

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decision of the superintendent or his superintendent's designee regarding such alternative education placement ~~shall be~~ is final unless altered by the School Board, upon ~~timely~~ written petition, ~~as established in regulation;~~ by the student or his the student's parent, for a review of the record by the ~~school board~~ School Board. Any petition for review of the decision of the superintendent or superintendent's designee must be filed within 5 days.

Whenever a court orders any pupil into an alternative education program, including a program of general educational development, offered in the public schools, the School Board shall determine the appropriate alternative education placement of the pupil regardless of whether the pupil attends the public schools it supervises or resides within its school division.

### **Reports Regarding Nonenrolled Children**

The attendance officer, the superintendent, or the superintendent's designee checks the reports submitted pursuant to subsection A of Va. Code § 22.1-260 with reports from the State Registrar of Vital Records and Health Statistics. From these reports and from any other reliable source the attendance officer, the superintendent, or the superintendent's designee, within five days after receiving all reports submitted pursuant to subsection A of Va. Code § 22.1-260, makes a list of the names of children who are not enrolled in any school and who are not exempt from school attendance. The attendance officer investigates all cases of nonenrollment and, when no valid reason is found therefor, notifies the parent, guardian or other person having control of the child to require the attendance of such child at the school within three days from the date of such notice.

Adopted: July 16, 1998  
Reviewed: June 19, 2008  
Revised: June 16, 2011  
Revised: July 5, 2012  
Revised: June 26, 2014  
Revised: June 19, 2018  
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, ~~§ 22.1-254.~~ §§ 22.1-254, 22.1-261, 22.1-277.2:1.

Cross Refs.: JEG Exclusions and Exemptions from School Attendance  
LBD Home Instruction

**SCHOOL ADMISSION****Generally**

A person of school age (i.e., a person who will have reached ~~his or her~~ the person's fifth birthday on or before September 30 of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Charlottesville City School Division, or if eligible for admission under Policy JECA Admission of Homeless Children.

A person of school age is deemed to reside in the school division

- when the person is living with a natural parent, or a parent by legal adoption, in the Charlottesville City School Division;
- when, in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- when the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- when the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
  - i. the court-appointed guardian, or has legal custody of the person,
  - ii. acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200; or
  - iii. an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
    - a. explaining why the parents are unable to care for the person,
    - b. detailing the kinship care arrangement, and
    - c. agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.

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- when the person is living in the school division not solely for school purposes, as an emancipated minor;
- when all or any portion of the building in which the person resides (i) with another person as set forth in the first through fourth bullets above or (ii) as an emancipated minor as set forth in the fifth bullet above is taxable by the locality in which the school division is located; or
- when the person has been placed in a foster care placement within the school division by a local social services agency. The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which ~~he~~ the child was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child. No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which ~~he~~ the child was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division. These provisions apply to any student who was in foster care upon reaching 18 years of age and has not reached 22 years of age.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with Va. Code § 22.1-5 and pursuant to Charlottesville City School Board Regulation JEC-R School Admission.

### Children of Persons on Active Military Duty

#### No child of a person on active military duty

- who is attending a school free of charge in accordance with this policy ~~shall~~ will be charged tuition by the school division upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing. Such children ~~shall be~~ are allowed to continue attending school in the school division and ~~shall not be~~ are not charged tuition for attending such school;
- who is attending a school free of charge in accordance with this policy ~~shall~~ will be charged tuition upon such child's relocation pursuant to orders received by such child's parent to relocate to a new duty station or to be deployed. Such children ~~shall be~~ are allowed to remain enrolled in the ~~current school~~ division free of tuition through the end of the school year; and
- who is eligible to attend school free of charge in accordance with this policy ~~shall~~ will be charged tuition by a school division that will be the child's school division of residence once ~~his~~ the child's service member parent is relocated pursuant to orders received. Such a child ~~shall~~ will be allowed to enroll in the school division of the child's intended residence if documentation is provided, at the time of enrollment, of military orders of the service member parent or an official letter from the service member's command

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indicating such relocation. Documentation indicating a permanent address within the school division ~~shall~~ must be provided to the school division within 120 days of a child's enrollment or tuition may be charged, including tuition for the days since the child's enrollment in school. In the event that the child's service member parent is ordered to relocate before the 120th day following the child's enrollment, the school division ~~shall~~ will not charge tuition. Students eligible to enroll in the school division in accordance with this policy because they are the children of military personnel on active military duty who will reside in the division may register, remotely or in-person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school such child will attend ~~shall~~ will be determined by the school division.

Such children ~~shall be~~ are counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing ~~shall not be~~ is not responsible for providing for their transportation to and from school.

### Children of Certain Federal Employees

Children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code are eligible for enrollment in the Charlottesville City School Division provided that the documents required by Va. Code §§ 22.1-3.1 and 22.1-3.2 are provided and subject to the authority of the school division to exclude such children from attendance pursuant to Va. Code § 22.1-277.2 or if such children have been found guilty or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state.

Students may enroll in the Charlottesville City School Division if the division is the student's intended residence if documentation is provided at the time of enrollment of Title 22 or 50 orders of the federal employee parent. Documentation indicating a permanent address within the school division must be provided to the school division within 120 days of a student's enrollment or tuition may be charged, including tuition for the days since the student's enrollment. In the event that the federal employee parent is ordered to relocate under Title 22 or Title 50 orders before the one hundred twentieth day following the student's enrollment, the school division will not charge tuition. Students eligible to enroll in the school division pursuant to this section may register, remotely or in person, for courses and other academic programs and participate in the lottery process for charter schools and college partnership laboratory schools in the school division at the same time and in the same manner as students who reside in the division. The assignment of the school that such student will attend will be determined by the school division.

"Children of federal employees serving under orders pursuant to Title 22 or 50 of the United States Code" means school-age children, enrolled in kindergarten through grade 12, in the



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household of a federal employee serving under orders pursuant to Title 22 or 50 of the United States Code.

### ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no pupil ~~shall be~~ is admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or ~~his~~ principal's designee ~~shall record~~ records the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil ~~shall~~ must submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child ~~shall~~ will nonetheless be admitted into the public schools if the ~~division~~-superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
- B. If a certified copy of the birth record is not provided, the administration ~~shall~~ immediately ~~notify~~ notifies the local law enforcement agency. The notice to the local law-enforcement agency ~~shall include~~ includes copies of the submitted proof of the pupil's identity and age and the affidavit explaining the inability to produce a certified copy of the birth record.
- C. Within 14 days after enrolling a transfer student, the administration ~~shall request~~ requests documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- D. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.
- E. Tuition rates are established each year in accordance with the provisions of Va. Code § 22.1-5.
- F. Prior to admission to the Charlottesville City School Division, the parent, guardian, or other person having control or charge of the child ~~shall~~ must provide, upon registration,
- a sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document ~~shall be~~ is maintained as a part of the student's scholastic record; and

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- a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document ~~shall be~~ is maintained by the superintendent and by any others to whom ~~he~~ 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 § 16.1-260, the notice ~~shall~~ will become a part of the student's disciplinary record.

When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

- G. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Charlottesville City School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and ~~his/her~~ the student's parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or ~~his~~ the student's parent to participate in a hearing to be conducted by the superintendent or ~~his~~ superintendent's designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the superintendent or ~~his/her~~ superintendent's designee; and the decision has been to exclude the student from attendance. ~~The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the superintendent or his/her designee. If the School Board grants a review of the record, the decision of the superintendent or his/her designee may be altered. The decision of the superintendent or superintendent's designee to exclude the student is final unless altered by the School Board upon written petition filed within 5 days of the decision to exclude the student by the student or the student's parent, for a review of the record by the School Board.~~

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period ~~shall be~~ is established by the School Board, committee thereof, or superintendent or ~~his~~ superintendent's designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board ~~shall identify~~ identifies the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

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For the purposes of this section, the superintendent's designee ~~shall~~ must be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding School Board ~~shall~~ may not impose additional conditions for readmission to school.

- H. This policy does not preclude contractual arrangements between the Charlottesville City School Board and agencies of the federal government or the school board of another Jurisdiction to permit students not otherwise eligible to attend Charlottesville City Public Schools.
- I. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in Va. Code §§ 22.1-270, 22.1-271.2 and 32.1-46 and policies JHCA Physical Examinations of Students and JHCB Student Immunizations.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student ~~shall be~~ is immediately enrolled; however, the person enrolling the child ~~shall~~ must provide a written statement that, to the best of ~~his~~ the person's knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency ~~shall~~ must obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's enrollment.

Adopted: April 3, 2003  
Revised: September 20, 2007  
Reviewed: June 19, 2008  
Revised: June 16, 2011  
Revised: June 25, 2013  
Revised: June 30, 2015  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Adopted:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01,

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22.1-277.2, 22.1-287.02, 22.1-288.2, 22.1-369, 22.1-373, 22.1-378, 32.1-46,  
63.2-100, 63.2-900, and 63.2-1200.

2007 Va. Opin. AG 07-015.  
1987-88 Va. Opin. AG 374.

Cross Refs.:	<del>JEC-R</del>	<del>School Admission</del>
	JECA	Admission of Homeless Children
	JHCA	Physical Examinations of Students
	JHCB	Immunization of Students
	JGD/JGE	Student Suspension/Expulsion

### **ADMISSION OF HOMELESS CHILDREN**

The Charlottesville City School Board is committed to educating homeless children and youth. Homeless children and youth are not stigmatized or segregated on the basis of their status as homeless. The school division coordinates the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The Charlottesville City School Division serves each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
  - if the student becomes homeless between academic years or during an academic year; or
  - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that non homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Charlottesville City School Board

- presumes that keeping the student in the school of origin is in the student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth;
- considers student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health and safety of homeless students, giving priority to the request of the student's parent or guardian or (in the case of an unaccompanied youth) the youth;
- if, after conducting the best interest determination based on consideration of the presumption and the student-centered factors above, the Charlottesville City school division determines that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or (in the case of an unaccompanied youth) the youth, provides the student's parent or guardian or the unaccompanied youth with a written explanation of the reasons for its determination, in a manner and form understandable to such parent, guardian or unaccompanied youth, including information regarding the right to appeal; and
- in the case of an unaccompanied youth, ensures that the division homeless liaison assists in placement or enrollment decisions, gives priority to the views of such unaccompanied youth and provides notice to such youth of the right to appeal.

## Enrollment

The school selected in accordance with this policy immediately enrolls the homeless student, even if the student

- is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency or other documentation; or
- has missed application or enrollment deadlines during any period of homelessness.

The enrolling school immediately contacts the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations or other required health records, the enrolling school immediately refers the parent or guardian of the student or, (in the case of an unaccompanied youth) the youth, to the division's homeless liaison, who assists in obtaining necessary immunizations or screenings, or immunization or other required health records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA Physical Examinations of Students cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of ~~his or her~~ the person's knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division immediately refers the student to the division's homeless liaison who, as soon as practicable, assists in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and immediately admits the pupil to school.

The decision regarding placement is made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

## Enrollment Disputes

If a dispute arises over eligibility, or school selection or enrollment in a school

- the homeless student is immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals;
- the parent or guardian of the student or (in the case of an unaccompanied youth) the youth is provided with a written explanation of any decisions related to school selection or enrollment made by the school, the school division or the Virginia

- Department of Education, including the rights of the parent, guardian or student to appeal the decision;
- the student, parent or guardian is referred to the division's homeless liaison who carries out the appeal process as expeditiously as possible after receiving notice of the dispute; and
  - in the case of an unaccompanied youth, the homeless liaison ensures that the youth is immediately enrolled in the school in which the youth seeks enrollment pending resolution of the dispute.

### Appeal Process

#### Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present ~~his~~ the Complainant's position to the division's homeless liaison.

#### Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

#### Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

### Comparable Services

Each homeless student is provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities and educational programs for English learners;
- programs in career and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

### Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation is provided for a homeless student to and from the school of origin as follows:

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin is provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing ~~his or her~~ the student's education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation are shared equally.

### Definitions

The term "homeless student" means an individual who lacks a fixed, regular and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
  - a. are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or



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camping grounds due to the lack of alternative adequate accommodations or in emergency or transitional shelters; or are abandoned in hospitals;

- b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
  - c. are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term "homeless student" also includes students who are experiencing trauma or a lack of safety related to, or fleeing or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous, traumatic, or life-threatening conditions related to the violence against the student or a family member in the student's or family's current housing situation, including where the health or safety of children are jeopardized and who has no other safe residence and lacks the resources to obtain other safe permanent housing.

The term "migratory child" means a child who moved from one residence to another and from one school division to another in the preceding 36 months as a migratory agricultural worker or migratory fisher or with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Adopted: July 16, 1998  
Revised: August 5, 2004  
Revised: June 19, 2008  
Revised: June 25, 2013  
Revised: June 20, 2017  
Revised: June 19, 2018  
Adopted:

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Legal Refs.: 20 U.S.C. § 6399.

42 U.S.C. §§ 11302, 11431, 11432, 11433, 11434a.

Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70, 22.1-78,

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22.1-253.13:1, 22.1-270.

Cross Ref.: JEC                      School Admission  
                  JHCA                      Physical Examinations of Students

## STUDENT CONDUCT

### Generally

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

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

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

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

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

### Parental Involvement and Responsibility

Each parent of a student enrolled in Charlottesville City schools has a duty to assist 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

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with compulsory school attendance law and to discuss improvement of the child's behavior, school attendance and educational progress.

The school principal ~~may notify~~ 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 ~~could~~ 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 ~~shall state~~ 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~~ 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.

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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  
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.C.3~~; ~~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 ~~January 2019~~. June 2021.

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

## DRUGS IN SCHOOL

### I. Generally

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

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

### A. Expulsion

A student who is determined to have brought a controlled ~~substance or~~ substance, imitation controlled ~~substance~~ substance, or marijuana onto school property or to a school-sponsored activity may be expelled in accordance with Policy JGD/JGE Student Suspension/Expulsion. The School Board may determine, based on the facts of the particular case that special circumstances exist and no disciplinary action or another form of discipline is appropriate. ~~In addition, the~~ The School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Any disciplinary action imposed pursuant to such a review must be taken in accordance with Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.

### B. Prevention and Intervention

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

The School Board may require any student who ~~is in possession of or under the influence of drugs at school or school-sponsored activities to: (1) undergo evaluation for drug abuse and (2) participate in a drug treatment program if recommended by the evaluator and if the student's parent consents.~~ has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.



C. Required Reporting to Parents and Local Law Enforcement

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

**II. Students with Disabilities**

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

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

1. In addition to the authority granted in subsection A above, a student with a disability may be removed without parent consent and assigned to an interim alternative education program by school personnel for not more than forty-five (45) school days when the student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or local educational agency. This option is available regardless of whether a manifestation exists. The removal should not be in excess of any removal imposed on a student without a disability for the same offense.
2. For purposes of this forty-five (45) school day removal, "illegal drugs" and "controlled substance" are defined as follows:
  - a. Controlled substance means a drug or other substance identified under schedules I, II, III, IV, or V in § 202(c) of the Controlled Substances Act at 21 U.S.C. § 812(c).
  - b. Illegal drug means a controlled substance, but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

Adopted: June 19, 2008  
Revised: June 16, 2011  
Revised: June 26, 2014  
Revised: June 30, 2015  
Revised: August 1, 2019  
Revised: June 17, 2021

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Revised:

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Legal Refs: 20 U.S.C. § 1415  
21 U.S.C. § 812.

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

8 VAC 20-81-10.

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

## **TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS**

### Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

### Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: July 16, 1998  
Revised: June 19, 2008  
Revised: June 18, 2009  
Revised: June 26, 2014  
Revised: August 1, 2019  
Adopted:

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Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
GBEC/KGC Tobacco Products and Nicotine Vapor Products  
~~JFC R Standards of Student Conduct~~  
KG Community Use of School Facilities  
KGB Public Conduct on School Property

## STUDENT SUSPENSION/EXPULSION

### I. DEFINITIONS

As used in this Policy,

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

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

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

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

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

“Firearm” means (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded

firearm in a closed container. "Firearm" does not include any pneumatic gun as defined in this Policy.

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

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

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

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

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

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

## **II. SUSPENSIONS AND EXPULSIONS OF STUDENTS GENERALLY**

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

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

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

The authority of teachers to remove students from their classes in certain instances of disruptive behavior shall not be interpreted to affect the operation of this Policy.

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

### III. SHORT-TERM SUSPENSIONS

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

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

The decision of the superintendent or superintendent's designee is final and may not be appealed.

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

### IV. LONG-TERM SUSPENSION

A pupil may be suspended from attendance at school for 11 to 45 school days after written notice is provided to the pupil and the pupil's parent of the proposed action and the reasons therefore and of the right to a hearing before the superintendent or superintendent's designee. The decision of the superintendent or superintendent's designee may be appealed to the full School Board. Such appeal shall be decided by the School Board within thirty days.

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

during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his suspension is borne by the parent of the student.

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

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

## **V. EXPULSION**

### **A. Generally**

Pupils may be expelled from attendance at school after written notice to the pupil and the pupil's parent of the proposed action and the reasons therefore and of the right to a hearing before the School Board. The School Board confirms or disapproves of the proposed expulsion regardless of whether the pupil has exercised the right to a hearing.

The written notice given to the pupil and the pupil's parent includes notification of the length of the expulsion and provides information to the parent of the student concerning the availability of community-based educational, training and intervention programs. The notice also states whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during the expulsion is borne by the parent of the student.

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

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice also advises the parent of such student that the student may petition the School Board for readmission to be effective one calendar year from the date of the expulsion, and of the conditions, if any, under which readmission may be granted.



Such students may apply and reapply for readmission to school in accordance with the following schedule:

Petitions for readmission must be submitted by the parent or legal guardian to the Superintendent's designee no fewer than 60 days and no more than 90 days prior to the expiration of the expulsion or within such other period as may be established by the School Board in the notice of expulsion.

#### B. Conduct Giving Rise to Expulsion

Recommendations for expulsions for actions other than those specified below are based on consideration of the following factors:

- the nature and seriousness of the conduct;
- the degree of danger to the school community;
- the student's disciplinary history, including the seriousness and number of previous infractions;
- the appropriateness and availability of an alternative education placement or program;
- the student's age and grade level;
- the results of any mental health, substance abuse or special education assessments;
- the student's attendance and academic records; and
- other appropriate matters.

No decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this subsection precludes the School Board from considering any of the factors listed above as "special circumstances" for purposes of expulsions discussed in the following subsections.

#### **Firearms, Destructive Devices and Pneumatic Guns**

The School Board shall expel from school attendance for a period of not less than one year any student whom the School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator or the School Board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. The School Board may promulgate guidelines for determining what constitutes special circumstances. In addition, the School Board authorizes the superintendent or superintendent's designee to conduct a preliminary review of such cases to determine whether

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a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons apply, *mutatis mutandis*, to the provisions of this Policy. The provisions of this section do not apply to students who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted to use school premises.

### Drug Offenses

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance or imitation controlled substance as those terms are defined in Va. Code § 18.2-247 onto school property or to a school-sponsored activity. The School Board may, however, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate. In addition, the School Board authorizes the superintendent or the superintendent's designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Nothing in this section shall be construed to require a student's expulsion regardless of the facts of the particular situation.

### C. Procedure for School Board Hearing

The procedure for the School Board hearing is as follows:

- The School Board determines the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing is private unless otherwise specified by the School Board.
- The School Board may ask for opening statements from the principal or principal's representative and the student or student's parent(s) (or their representative) and, at the discretion of the School Board, may allow closing statements.
- The parties then present their evidence. Because the principal has the ultimate burden of proof, he presents his evidence first. Witnesses may be questioned by the School Board members and by the parties (or their representative). The School Board may, at its discretion, vary this procedure, but it shall afford full opportunity to both parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination provided, however, that the School Board may take the testimony of student witnesses outside the presence of the student, the student's parent(s) and their representative if the School Board determines, in its discretion, that such action is necessary to protect the student witness.
- The parties shall produce such additional evidence as the School Board may deem necessary. The School Board is the judge of the relevancy and materiality of the evidence.
- Exhibits offered by the parties may be received in evidence by the School Board and, when so received, are marked and made part of the record.

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- The School Board may, by majority vote, uphold, reject or alter the recommendations.
- The School Board transmits its decision, including the reasons therefore, to the student, the student's parent(s), the principal and superintendent.

### VI. ALTERNATIVE EDUCATION PROGRAM

The School Board may require any student who has been

- charged with an offense relating to the laws of Virginia, or with a violation of School Board policies, on weapons, alcohol, or drugs, or intentional injury to another person, or with an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found guilty or not innocent of an offense relating to Virginia's laws on weapons, alcohol, or drugs, or of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent pursuant to Va. Code § 16.1-260.G;
- found to have committed a serious offense or repeated offenses in violation of School Board policies;
- suspended pursuant to Va. Code § 22.1-277.05; or
- expelled pursuant to Va. Code § 22.1-277.06, 22.1-277.07, or 22.1-277.08 or subsection C of Va. Code § 22.1-277, to attend an alternative education program.

The School Board may require such student to attend such programs regardless of where the conduct occurred.

The School Board may require any student who has been found to have been in possession of, or under the influence of, drugs or alcohol on a school bus, on school property, or at a school-sponsored activity in violation of School Board policies, to undergo evaluation for drug or alcohol abuse, or both, and, if recommended by the evaluator and with the consent of the student's parent, to participate in a treatment program.

The School Board authorizes the superintendent or superintendent's designee to require students to attend an alternative education program consistent with the provisions of the previous paragraph after (i) written notice to the student and the student's parent that the student will be required to attend an alternative education program and (ii) notice of the opportunity for the student or the student's parent to participate in a hearing to be conducted by the superintendent or the superintendent's designee regarding such placement. If the student or parent wants to participate in a hearing regarding the placement, the student or parent must notify the superintendent or superintendent's designee within 5 days of receiving the written notice of the student's assignment to the alternative education program. The decision of the superintendent or superintendent's designee regarding such alternative education placement is final unless altered by the Board upon written petition by the student or student's parent for a review of the record by the School Board. Such petition must be received

## STUDENT SERVICES

by the superintendent or superintendent's designee within 5 days after receiving written notice of the decision after the hearing.

A principal or principal's designee may impose a short-term suspension, pursuant to Va. Code § 22.1-277.04, upon a student who has been charged with an offense involving intentional injury enumerated in Va. Code § 16.1-260.G, to another student in the same school pending a decision as to whether to require that such student attend an alternative education program.

As used in this section, "charged" means that a petition or warrant has been filed or is pending against a pupil.

### VII. REPORTING

A. Except as may otherwise be required by federal law, regulation or jurisprudence, reports are made to the superintendent and to the principal or principal's designee on all incidents involving

- (1) the assault, or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity;
- (2) the assault and battery which results in a bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity;
- (3) any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
- (4) any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;
- (5) the illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto school property;
- (6) any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85 or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;
- (7) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;
- (8) the arrest of any student for an incident occurring on a school bus, on school property or at a school sponsored activity, including the charge therefor; and
- (9) any illegal possession of weapons, alcohol, drugs or tobacco products.

B. The superintendent and the principal or principal's designee receive reports made by local law enforcement authorities on offenses, wherever committed, by students enrolled at the

## STUDENT SERVICES

school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act, Va. Code § 54.1-3400 et seq., and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in the clauses (1) through (8) of subsection VII.A. of this policy, and whether the student is released to the custody of the student's parent or, if 18 years of age or more, is released on bond. A superintendent who receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260 reports such information to the principal of the school in which the juvenile is enrolled.

- C. The principal or principal's designee submits a report of all incidents required to be reported pursuant to subsection VII.A.(1-8) of this policy to the superintendent. The superintendent annually reports all such incidents to the Department of Education.

In submitting reports of such incidents, principals and superintendents accurately indicate any offenses, arrests, or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection VII.B. of this policy.

- D. The principal or principal's designee also notifies the parent of any student involved in an incident required by this subsection to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information concerning other students.
- E. Whenever any student commits any reportable incident as set forth in this subsection, such student is required to participate in such prevention and intervention activities as deemed appropriate by the superintendent or superintendent's designee.
- F. Except as may otherwise be required by federal law, regulation or jurisprudence, a principal immediately reports to the local law-enforcement agency any act enumerated in clauses (2) through (7) of subsection VII.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection VII.A. of this policy.

In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection VII.A of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this subsection and if the incident is so reported, that the parents may contact local law enforcement for further information, if they so desire.

- G. For purposes of this section, "parent" or "parents" means any parent, guardian or other person having control or charge of a child.

## VIII. RE-ADMISSION OF SUSPENDED AND/OR EXPELLED STUDENTS

Any student who has been suspended from a school of this division is not eligible to attend any other school within the division until eligible to return to the student's regular school.

Any student who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in this Commonwealth or in another state or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance in the Charlottesville City Schools, in accordance with Policy JEC School Admission. In the case of a suspension of more than thirty days, the term of the exclusion may not exceed the duration of such suspension.

In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The School Board shall not impose additional conditions for readmission to school.

No suspended student is admitted to the regular school program until such student and the student's parent have met with school officials to discuss improvement of the student's behavior, unless the school principal or principal's designee determines that re-admission, without parent conference, is appropriate for the student.

If the parent fails to comply with this policy or Policy JEC School Admission, the School Board may ask the Juvenile and Domestic Relations Court to proceed against the parent for willful and unreasonable refusal to participate in efforts to improve the student's behavior.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board or superintendent or superintendent's designee, as the case may be at the relevant hearing, the student may re-petition the School Board for admission. If the petition for admission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may re-petition the School Board for admission.

The School Board may permit students excluded pursuant to this section to attend an alternative education program provided by the School Board for the term of such exclusion.

## IX. DISCIPLINING STUDENTS WITH DISABILITIES

Students with disabilities are disciplined in accordance with Policy JGDA Disciplining Students with Disabilities.

Adopted: June 19, 2008  
Revised: June 18, 2009  
Revised: June 16, 2011  
Revised: June 25, 2013

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Revised: June 26, 2014  
Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 19, 2018  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised:

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Legal Refs.: 20 U.S.C. § 7961.

Code of Virginia, 1950, as amended, §§ 15.2-915.4, 16.1-260, 18.2-119, 18.2-308.1, 18.2-308.7, 18.2-308.2:2, 22.1-200.1, 22.1-254, 22.1-276.01, 22.1-276.2, 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06, 22.1-277.07, 22.1-277.07:1, 22.1-277.08, 22.1-277.2, 22.1-277.2:1, 22.1-279.3:1.  
8 VAC 20-560-10.

Cross Refs.:	IGBH	Alternative School Programs
	JEC	School Admission
	JFC	Student Conduct
	JFCD	Weapons in School
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	KG	Community Use of School Facilities

### PHYSICAL EXAMINATIONS OF STUDENTS

No pupil is admitted for the first time to any public kindergarten or elementary school in Charlottesville City School Division unless such pupil furnishes, prior to admission,

- a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or
- records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the pupil is a homeless child or youth as defined in Va. Code § 22.1-3, and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of ~~his~~ the person's knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division immediately refers the student to the division's homeless liaison, who, as soon as practicable, assists in obtaining the necessary physical examination by the local health department or other clinic or physician's office and immediately admits the pupil to school.

The health care provider making a report of a physical examination shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as ~~handicapped~~ having a disability.

Physical examination reports are placed in the child's health record at the school and made available for review by any employee or official of the State Department of Health or any local health department at the request of such employee or official.

A physical examination is not required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of ~~his or her~~ the parent or guardian's knowledge, the child is in good health and free from any communicable or contagious disease.

The health departments of the counties and cities of the Commonwealth conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the departments establish.

Parents/guardians of students entering school shall complete a health information form as required by state law. Such forms shall be returned within 15 days of receipt unless reasonable extensions have been granted by the superintendent or superintendent's designee. Upon failure of the parent to complete such form within the extended time, the superintendent may



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send the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of Va. Code § 22.1-3 shall be excluded from school for such failure to complete such form.

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

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Legal Ref.: Code of Virginia, 1950, as amended, § 22.1270.

Cross Refs.: JEC            School Admission  
                  JECA            Admission of Homeless Students

## STUDENT IMMUNIZATIONS

No student is admitted by a school unless at the time of admission the student or the student's parent submits documentary proof of immunization as required by Va. Code §§ 22.1-271.2 and 32.1-46 to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3.

If a student does not have documentary proof of immunization, the school will notify the student or the student's parent

- that it has no documentary proof of immunization for the student;
- that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3;
- that the student may be immunized and receive certification by a licensed physician, physician assistant, ~~licensed nurse practitioner~~, advanced practice registered nurse, registered nurse or an employee of a local health department; and
- how to contact the local health department to learn where and when it performs these services.

Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code §§ 22.1-271.4 and 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

### Conditional Enrollment

Any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days.

The immunization record of each student admitted conditionally is reviewed periodically until the required immunizations have been received.

Any student admitted conditionally who fails to comply with the student's schedule for completion of the required immunizations will be excluded from school until the student's immunizations are resumed.

### Exemptions

No certificate of immunization is required for the admission to school of any student if

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- the student or the student's parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or
- the school has written certification from a licensed physician, physician assistant, ~~licensed nurse practitioner~~, advanced practice registered nurse, or local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

### Homeless Pupils

If a student is a homeless child or youth as defined in Va. Code § 22.1-3 and

- does not have documentary proof of necessary immunizations or has incomplete immunizations and
- is not exempted from immunization,

The school division immediately admits such student and refers the student to the school division homeless liaison who will assist in obtaining the documentary proof of, or completing, immunization.

### Immunization Record

Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which is a part of the mandatory permanent student record. Such record is open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record is transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official files a report with the local health department. The report is filed on forms prepared by the State Department of Health and states the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3.

Approved: July 16, 1998  
Revised: June 19, 2008  
Revised: June 16, 2011  
Revised: June 25, 2013  
Reviewed: June 20, 2017  
Revised: August 4, 2022  
Adopted:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-271.2, 22.1-271.4, 32.1-46, 54.1-2952.2, 54.1-2957.02.

Cross Refs.: JEC            School Admission  
              JECA          Admission of Homeless Students  
              JO            Student Records  
              LBD            Home Instruction

**COMMUNICABLE DISEASES**

The Charlottesville City School Board recognizes the importance of protecting its students and employees from the transmission of communicable diseases which present a threat to their health and safety while also protecting the legitimate interests and rights of students and employees with communicable diseases. The Board directs the superintendent to act in compliance with applicable law to exclude from school attendance or work in the school setting any person who has a communicable disease. Both the decision to remove the student or employee and the decision to readmit the student or to permit the employee to return to work are made by the superintendent based upon consultation with the local health department, the student's or employee's physician, physician assistant, ~~nurse practitioner~~, advanced practice registered nurse, and/or other medical authorities. (See policy JHCCA Blood Borne Contagious or Infectious Diseases).

The identity of a student who has a communicable disease is kept confidential and revealed only in accordance with state law. An alternative educational program is made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Administrative procedures concerning the exclusion of employees and students with communicable diseases are consistent with the requirements of law, including the policies of the Virginia Department of Education and reflect current medical knowledge and research.

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

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:3, 22.1-254, 22.1-271.3, 22.1-272, 32.1-36.1, 54.1-2952.2, 54.1-2957.02.

8 VAC 20-131-180.

Cross Ref.:	EBAB	Possible Exposure to Viral Infections
	EBBB	Personnel Training—Viral Infections
	IGBG	Homebound, Correspondence and Alternative Means of Instruction
	JHCCA	Blood Borne Contagious or Infectious Diseases

## 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 him and use supplies, including a reasonable and appropriate short-term supply of carbohydrates, an insulin pump, and equipment for immediate treatment of high and low blood glucose levels, and
- self-check his own blood glucose levels on school buses, on school property, and at school-sponsored activities.

A School Board employee, as defined in Va. Code § 22.1-274.E, who is a registered nurse, licensed practical nurse, or certified nurse aide and who has been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon may assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts. Prescriber authorization and parental consent shall be obtained for any such employee to assist with the insertion or reinsertion of the pump or any of its parts. Nothing in this policy requires any employee to assist with the insertion or reinsertion of the pump or any of its parts.

### 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:

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Legal Refs.: Code of Virginia, as amended, §§ 22.1-78, 22.1-274, 22.1-274.01:1, 22.1-274.2, 54.1-2952.2, 54.1-2957.02, 54.1-3408.

Cross Refs.:	EBBA	Emergency First Aid, CPR and AED Certified Personnel
	JHCE	Recommendation of Medication by School Personnel
	JO	Student Records



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## WELLNESS POLICY

This district-level wellness policy template meets the minimum Federal standards for local school wellness policy implementation under the final rule of the [Health, Hunger-Free Kids Act of 2010](#), the Alliance for a Healthier Generation Healthy Schools Program Bronze-/eve/ award criteria, and minimum best practice standards accepted in the education and public health fields.

### Preamble

Charlottesville City Schools (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture's (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks.<sup>1,2,3,4,5,6,7</sup> Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students.<sup>8,9,10</sup> In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities- do better academically. 11 •12•13•14• Finally, there is evidence that adequate hydration is associated with better cognitive performance. 15•16

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<sup>1</sup> Bradley, B, Green, AC. *Do Health and Education Agencies in the United States Share Responsibility for Academic Achievement and Health? A Review of 25 years of Evidence About the Relationship of Adolescents' Academic Achievement and Health Behaviors*, Journal of Adolescent Health. 2013; 52(5):523-532.

<sup>2</sup> Meyers AF, Sampson AE, Weitzman M, Rogers BL, Kayne H. *School breakfast program and school performance*. *American Journal of Diseases of Children*. 1989;143(10):1234-1239.

<sup>3</sup> Murphy JM. *Breakfast and learning: an updated review*. *Current Nutrition & Food Science*. 2007; 3:3-36.

<sup>4</sup> Murphy JM, Pagano ME, Nachmani J, Sperling P, Kane S, Kleinman RE. *The relationship of school breakfast to psychosocial and academic funng: Cross-sectional and longitudinal observations in an inner-city school sample*. *Archives of Pediatrics and Adolescent Mctionmedicine*. 1998;152(9):899-907.

<sup>5</sup> Pollitt E, Mathews R *Breakfast and cognition: an integrative summary*. *American Journal of Clinical Nutrition*. 1998; 67(4), 804S-813S.

<sup>6</sup> Rampersaud GC, Pereira MA, Girard BL, Adams J, Metz J. *Breakfast habits, nutritional status, body weight, and academic performance in children and adolescents*. *Journal of the American Dietetic Association*. 2005;105(5):743-760, quiz 761-762.

<sup>7</sup> Taras, H. *Nutrition and student performance at school*. *Journal of School Health*. 2005;75(6):199-213.

<sup>8</sup> MacLellan D, Taylor J, Wood K. *Food intake and academic performance among adolescents*. *Canadian Journal of Dietetic Practice and Research*. 2008;69(3):141-144.

<sup>9</sup> Neumark-Sztainer D, Story M, Dixon LB, Resnick MD, Blum RW. *Correlates of inadequate consumption of dairy products among adolescents*. *Journal of Nutrition Education*. 1997;29(1):12-20.

<sup>10</sup> Neumark-Sztainer D, Story M, Resnick MD, Blum RW. *Correlates of inadequate fruit and vegetable consumption among adolescents*. *Preventive Medicine*. 1996;25(5):497-505.

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This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day- both through reimbursable school meals and other foods available throughout the school campus in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school; Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the District Specific measurable goals and outcomes are identified within each section below.

- The District will coordinate the wellness policy with other aspects of school management, including the District's School Improvement Plan, when appropriate.

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<sup>11</sup> Centers for Disease Control and Prevention. *The association between school-based physical activity, including physical education, and academic performance*. Atlanta, GA: US Department of Health and Human Services, 2010.

<sup>12</sup> Singh A, Uijtdewilligne L, Twisk J, van Mechelen W, Chinapaw M. *Physical activity and performance at school: A systematic review of the literature including a methodological quality assessment*. Arch Pediatr Adolesc Med, 2012; 166(1):49-55.

<sup>13</sup> Haapala E, Poikkeus A-M, Kukkonen-Harjula K, Tompuri T, Lintu N, Veiisto J, Leppanen P, Laaksonen D, Lindi V, Lakka T. *Association of physical activity and sedentary behavior with academic skills -A follow-up study among primary school children*. PLoS ONE, 2014; 9(9): e107031.

<sup>14</sup> Hillman C, Pontifex M, Castelli D, Khan N, Raine L, Scudder M, Drollette E, Moore R, Wu C-T, Kamijo K. *Effects of the F/TKids randomized control trial on executive control and brain function*. Pediatrics 2014; 134(4): e1063-1071.

<sup>15</sup> Change Lab Solutions. (2014). *District Policy Restricting the Advertising of Food and Beverages Not Permitted to be Sold on School Grounds*. Retrieved from <http://changelabsolutions.org/publications/district-policy-school-food-ads>

## I. School Wellness Committee

### Committee Role and Membership

Charlottesville City Schools established a Wellness Policy leadership of one or more school officials who have the authority and responsibility to ensure each school complies with the Wellness Policy. The Wellness Policy committee, the School Health Advisory Board or SHAB, meets every other month during the school year for periodic review and update of the Wellness Policy. The general public and the school community are allowed and encouraged to participate in the Wellness Policy process. This may include parents, students, and representatives of the School Food Authority, teachers, school health professionals, and the School Board and school administrators. Applications are accepted yearly for participation in the School Health Advisory Board as official members. These applications are located on the [SHAB](#) page of the division website. In addition, per the division Wellness Policy rev. 2017, school principals shall ensure that each school has a school wellness team (consisting of the principal, teachers, parents, nurses, counselors, and students in middle and high school) responsible for implementing, monitoring, evaluating and reporting annually on progress towards meeting the division wellness policy goals and regulation. This group must prepare and submit a report for their school to the School Health Advisory Board regarding the progress towards implementation of the policy and recommendations for revisions to the policy as necessary.

The SHAB membership will represent all school levels {elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [e.g., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [e.g., school counselors, psychologists, social workers, or psychiatrists]; school administrators (e.g., superintendent, principal, vice principal), school board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators (SNAP-EDEDSNAP-Ed}. To the extent possible, the DWC will include representatives from each school building and reflect the diversity of the community.

- A division wellness committee (SHAB) is ongoing and regular meetings occur at the division level. This committee will meet at least 5 times per year.
- Each school within the District will establish an ongoing School Wellness Committee (SWC) that convenes to review school-level issues, in coordination with SHAB. These committees will meet at least monthly during the academic school year.

### Leadership

The responsibility of creating a culture of well-being and supporting every learner is shared among all students, parents, staff, departments, schools and leaders within Charlottesville City. However, the Final Rule requires specific designee(s) be identified to help lead the oversight, implementation, and progress assessments of the wellness policy. Broad oversight in Charlottesville City is provided by the School Health Advisory

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Board (SHAB), with direct responsibilities overseen by the Health and Physical Education Instructional Coordinator, Nutrition Coordinator and Director of Student Services.

The designated official for oversight is:

Director of Student Services  
1562 Dairy Road  
Charlottesville, Virginia 22903  
(434)-245-2400

### **Additional Designee(s)**

The name(s), and role on the committee of this/these individual(s) is (are):

<b>Title/ Relationship to School or District</b>	<b>Role on Committee</b>
<b>Director of Student Services</b>	<b>Designated official for oversight</b>
<b>CCS Nutrition Coordinator</b>	<b>Assists in the evaluation of the wellness policy implement</b>
<b>Health and Physical Education Coordinator</b>	<b>Assists in the evaluation of the wellness policy implementation and facilitates SHAB meeting</b>

\*\*Each school will designate a school wellness policy coordinator, who will ensure compliance with the policy. Refer to Appendix A for a list of school-level wellness policy coordinators.

The Wellness Policy Implementation, monitoring, accountability and community engagement is outlined in the Regulations JHCF-R

### **Wellness Policy Compliance**

Charlottesville City Schools must conduct an assessment of the Wellness Policy every three years, at a minimum. The final rule requires State Agencies to assess compliance with the Wellness Policy requirements as a part of the general areas of the Administrative Review every three years. [2020 Triennial Assessment](#)

### **Annual Notification of Policy**

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's (or schools') events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District/school officials leading and coordinating the

committee, as well as information on how the public can get involved with the school wellness committee.

### **Triennial Progress Assessments**

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- The extent to which the District's wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Health and Physical Education Coordinator. SHAB, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will notify households/families of the availability of the triennial progress report on the school website and social media. [2020 Triennial Assessment](#)

### **Revisions and Updating the Policy**

SHAB will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued.

**The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

### **Community Involvement, Outreach and Communications**

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of SHAB and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the

availability of the annual and triennial reports.

- Reports will be made available on the division website and notifications will be made on the site as well as through division social media and school announcements.

## II. Nutrition

### School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams trans-fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), Summer Food Service Program (SFSP), and the After School Snack Program. The District also operates additional nutrition-related programs and activities including partnering with Cultivate Charlottesville City Schoolyard Garden to host school garden, and Harvest of the Month snacks. All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible and culturally relevant all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet [IISDA nutrition standards](#).) as defined in JHCF-R.
- Offer salad as an option every day at lunch
- Strategically place nutritious whole, local, or cooked-from-scratch foods
- Maintain a marketing-free lunch environment
- Expand menus to include more culturally diverse meals
- Continue to fund and operate an annual summer food program.
- Encourage families to participate in school meal programs by:
  - Having a formal marketing campaign that includes, but is not limited to, "cafeteria" sections in school newsletters, e-mail and backpack stuffer updates to teachers and parents, and a monthly Nutrition Services "News" page on the CCS website.
  - Encouraging families to determine eligibility for reduced or free meals by handing out forms at registration, during open houses, and at parent nights. Forms are also available in the main office of each school.
  - Enrolling in Community Eligibility Provision to provide free breakfast and lunch for all students at the approved schools.



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- Providing non-traditional food service options, such as mobile breakfast carts, grab-and-go breakfast, and breakfast in the classroom.
- Holding periodic food promotions to encourage taste testing of healthy new additions to school menus.
- Working collaboratively with classroom teachers to maximize the impact of ongoing food programs such as Harvest of the Month and Farm to School Week.
- Maintaining a "closed campus" policy for K-11 students that does not allow them to leave school grounds during lunch.
- Schedule lunch between the hours of 10:00 AM and 2:00 PM per Department of Education Policy #CFR210.10 (F) Lunch will be scheduled after recess when possible for grades K-6. Not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities. (WellSAT US16)
- Provide adequate time for students to eat and enjoy school meals (a minimum of 15 minutes at breakfast and 20 minutes at lunch after being seated).
- Provide adequate portions for students based on requirements needed for their age, grade level.
- Provide students access to hand washing or hand sanitizing before they eat meals or snacks, and take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (e.g., orthodontia or high tooth decay risk).

### **Staff Qualifications and Professional Development**

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These school nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs. Additional strategies to assure high quality staff are located in JHCF-R.

### **Water**

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day\* and throughout every school campus\* ("school campus" and "school day" are defined in the glossary). The District will make drinking water available where school meals are served during mealtimes.

Specifics are outlined in the regulations.

### **Competitive Foods and Beverages**

The District is committed to ensuring that all foods and beverages available to students on the school campus\* during the school day\* support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are

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available at: <https://www.fns.usda.gov/cn/smart-snacks-school> The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at <https://www.healthiergeneration.org/take-action/schools/wellness-topics/smart-snacks>

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

Detailed information for procedures are outlined in the regulations.

### **Celebrations and Rewards**

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including. Specific procedures for implementing the policy for celebrations is included in the regulations.

### **Fundraising**

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus\* during the school day\*.

Schools are permitted to allow 30 school-sponsored fundraisers during the school year to be exempt from the Smart Snacks Standards.

Exempt fundraisers are tracked and monitored by the building principal and records are kept on file in the main office.

Any fundraiser that sells food or beverages may not be conducted during school meal service time. This includes from 7:00am to the end of the breakfast period and from the beginning of the first lunch period to the end of the last lunch period.

Requirements and recommendations for fundraising are included in the regulations.

### **Nutrition Promotion**

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.



**Nutrition Education**

The Charlottesville City School Division believes that a strong nutrition education program is important. The elements of the sequential and evidence-based program are detailed in the regulations.

## **Essential Healthy Eating Topics in Health Education**

As an integral part of the Health Education program, various topics are identified for inclusion. These topics are included but not limited to the identified topics in the regulations.

## **Food and Beverage Marketing in Schools**

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus\* during the school day\* will meet or exceed the USDA Smart Snacks in School nutrition standards. Specific requirements about promotions are included in the regulations.

Food and beverage marketing is defined as advertising and other promotions in schools. Food and beverage marketing often includes an oral, written, or graphic statements made for promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.<sup>15</sup> This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors
- Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance with the marketing policy.) Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the District.
- Advertisements in school publications or school mailings.
  - School-based food and beverage marketing will be consistent with nutrition education and health promotion. As such, schools will restrict marketing, during school hours, to the promotion of only those foods and beverages that meet the USDA "Smart Snacks" guidelines.
- Examples of marketing techniques include the following:

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- Brand names, trademarks, logos, or tags, except when placed on a physically present food or beverage product or on its container;
- Displays, such as on vending machine exteriors;
- Corporate brand, logo, name, or trademark on cups, posters, book covers, school supplies, or educational materials;
- Corporate brand, logo, name, or trademark on school equipment, message boards, scoreboards, or uniforms;
- Advertisements in school publications or school mailings;
- Sponsorship of school activities, or sports teams;
- Broadcasts on school radio stations or in-school television;
- Educational incentive programs such as contests, or programs that provide schools with supplies or funds when families purchase specific food products;
- Free samples or coupons displaying advertising of a product.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As the District school nutrition services/Athletics Department reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by the District wellness policy.

### III. Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the district will be encouraged to successfully address all CSPAP areas.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks, time in the school garden or physical education) will not be withheld as punishment for any reason. ["This does not include participation on sports teams that have specific academic requirements]. Teachers and other school personnel will not use physical activity (e.g., running laps, push ups) as punishment. The district will provide teachers and other school staff with a [list of ideas](#) for alternative ways to discipline students.

To the extent practicable, the District will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The District will conduct necessary inspections and repairs.

- The District will work with schools to ensure that inventories of physical activity supplies and equipment are known and, when necessary, will work with community partners to ensure

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sufficient quantities of equipment are available to encourage physical activity for as many students as possible.

### **Physical Education**

The District will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the "Essential Physical Activity Topics in Health Education" subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The District will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

The Charlottesville City School Division will:

- Have a goal to provide a minimum of 200 minutes per week of physical activity for all students in grades K-10.
- Not reduce or eliminate time for recess, physical education or physical activity as a punishment.
- Not use physical activity as a punishment.
- Provide a minimum of 30 minutes daily recess for students in grades K-4 and a minimum of 25 minutes daily recess for students in grades 5-6. Recess will be scheduled before lunch when possible. If recess must be held indoors due to weather, teachers are encouraged to promote physical activity during indoor recess. <https://www.gonoodle.com/>
- Provide physical education for all students in K-10.
- Provide students in K-4 with physical education each week, for a minimum of 60 minutes with a goal of 90 minutes or more per week.
- Provide students in 5-6 with physical education each week, for a minimum of 125 minutes on average.
- Provide students in 7-8 with physical education each week, for a minimum of 200 minutes.
- Provide students in 9-10 with a minimum of 180 minutes of physical education weekly for one semester each year. The division standard for graduation from high school requires 2 credits for health/physical education.
- Not allow students to receive a waiver or exemption for physical education class. The only authorized substitution for physical education is virtual PE for students in 9-10.
- Use a written curriculum for physical education that is based on national or state-developed standards, such as the Five 4 Life curriculum.  
<https://www.focusedfitness.org/curriculum/five-for-life>

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- Offer a planned, sequential program of physical education instruction incorporating individual and group activities which are taught in a positive environment by certified teachers endorsed in health and physical education.
- Conduct quality physical education instruction for K-10 that promotes lifelong physical activity and provides instruction in the skills and knowledge necessary for lifelong participation based on standards set by VDOE  
[www.virginiaisforlearners.virginia.gov/testing/sol/standards\\_docs/physical\\_education/index.shtml](http://www.virginiaisforlearners.virginia.gov/testing/sol/standards_docs/physical_education/index.shtml) and SHAPE America Standards <https://www.shapeamerica.org/standards/pe/>.
- Maintain a teacher-student ratio for physical education classes of no more than 2 students per teacher, with a goal of 20 students.
- Offer professional development to K-12 PE teachers yearly to enhance instructional practices and pedagogy
- Provide safe and adequate equipment, facilities and resources necessary to meet VDOE and SHAPE America standards.
- Participate in bi-yearly fitness assessment for students in grades 3-8 and yearly for students in 9-10.
- Collect BMI (height and weight) data for students in grades 3-10 yearly, however, parents and students will have the option of opting out. Information on HT/WT will not be shared with the students as it is for data purposes only. If students or families would like the information they may contact the school nurse. An opt-out form will be provided to all parents prior to the start of the BMI assessment. BMI assessment will be taken without using students names and will be done in a private area. PE teachers will be trained and provided with an additional adult to assist with the PE class while assessments are being taken.  
[https://www.cdc.gov/healthyschools/obesity/bmi/bmi\\_measurement\\_schools.htm](https://www.cdc.gov/healthyschools/obesity/bmi/bmi_measurement_schools.htm)
- Students in grades K-2 will practice the fitness assessment
- Provide students with 50% of physical education class time for moderate to vigorous activity, with accommodations for students with medical conditions or disabilities. Provide for appropriate professional development for physical education teachers. Support additional physical activity for all students through reduced fees for after school recreation, intramural activities, and sports; tool kits for recess and core classrooms; and education for parents.
- Provide a physical activity component for after school programs such as CATCH (Coordinated Approach to Child Health), Action-Based Learning Lab, and sports clubs and teams.
- Offer electives at the high school in addition to the required physical education courses.
- Promote active transportation to school through programs like Safe Routes to School, Walk to School days, walking school buses, and including pedestrian and bike safety education in physical education classes.
- Encourage family and community engagement in physical activity opportunities at schools through programs like fun runs, walk-a-thons, and field days.
- Share use of physical activity facilities through partnerships with Charlottesville Parks and Rec, the Boys and Girls Club of Central Virginia, SOCA, and VABA. Additionally, outdoor playgrounds and fields are available for community use after school hours and on weekends.
- Provide structured time for students to visit and learn about their school garden including but not limited to classes and clubs.

The District physical education program will promote student physical fitness through individualized fitness and activity assessments using Weinel and Focused Fitness, and will use criterion-based reporting for each student.

### **Essential Physical Activity Topics in Health Education**

Health education will be required in all grades (elementary) and the district will require middle and high school students to take and pass at least one health education course. The District will include in the health education curriculum a minimum of 12 the following essential topics on physical activity. The topics are provided in the regulations

- The physical, psychological, or social benefits of physical activity
- How physical activity can contribute to a healthy weight
- How physical activity can contribute to the academic learning process
- How an inactive lifestyle contributes to chronic disease
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition
- Differences between physical activity, exercise and fitness
- Phases of an exercise session, that is, warm up, workout and cool down
- Overcoming barriers to physical activity
- Decreasing sedentary activities, such as TV watching
- Opportunities for physical activity in the community
- Preventing injury during physical activity
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity
- Developing an individualized physical activity and fitness plan
- Monitoring progress toward reaching goals in an individualized physical activity plan
- Dangers of using performance-enhancing drugs, such as steroids
- Social influences on physical activity, including media, family, peers and culture
- How to find valid information or services related to physical activity and fitness
- How to influence, support, or advocate for others to engage in physical activity
- How to resist peer pressure that discourages physical activity.

## **Recess (Elementary)**

All Elementary Schools will provide a daily recess during the regular school year as determined appropriate by the Charlottesville City School Board.

## **Classroom Physical Activity Breaks (Elementary and Secondary)**

The District recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical school week.

## **Active Academics**

Teachers will incorporate movement and kinesthetic learning approaches into "core" subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day.

The District will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

## **Before and After School Activities**

The District offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The District will encourage students to be physically active before and after school by: offering after school clubs, physical activity in after care, intramurals, and interscholastic sports at the middle and high school level.

## **Active Transport**

The District will support active transport to and from school, such as walking or biking. The District will encourage this behavior by engaging in six or more of the activities below; including but not limited to:

- Designate safe or preferred routes to school
- Promote activities such as participation in International Walk to School Week, National Walk~ and Bike to School Week
- Instruction on walking/bicycling safety provided to students
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area)
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper
- Use crossing guards

- Use crosswalks on streets leading to schools
- Use walking school buses
- Document the number of children walking and or biking to and from school
- Create and distribute maps of school environment (e.g., sidewalks, crosswalks, roads, pathways, bike racks school garden)

#### **IV. Other Activities that Promote Student Wellness**

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to, with the leadership of the school wellness committees, coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of SHAB and school wellness committee.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

#### **Community Partnerships**

The District will continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, Cultivate Charlottesville City Schoolyard Garden and other non-profit partners) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

#### **Community Health Promotion and Family Engagement**

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the district's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.



### **Staff Wellness and Health Promotion**

SHAB will communicate with human resources staff to identify and disseminate wellness resources and perform other functions to support staff wellness.

Schools in the District will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors.

- Support, encourage and allow staff to use their lunch to be physically active. Establish and enhance physical activity and mindfulness opportunities for staff, such as the Hike/Bike program that offers a financial incentive for staff to walk or bike 30 minutes a week
- Continue to support the Employee Assistance Program for staff.
- Continue to support access to fitness clubs, recreation and well-being centers through discounts.
- Provide flu shots and other inoculations for employees and at minimal cost for their families.
- Support enhancement of medical coverage to include nutrition counseling and smoking cessation.

The District promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

### **Counseling and Mental Health Services**

The Charlottesville City School Division does support and encourage efforts for ongoing counseling and mental health for staff, students, and their families. Proposed activities are included in the regulations will:

- Provide access to a comprehensive counseling program for students and staff to address a range of mental health and psychological issues (i.e., emotional concerns, substance abuse, school adjustment, disordered eating, attendance problems, and physical and sexual violence).
- Provide access to quality and ongoing mindfulness, counseling and crisis intervention for all students and staff to promote positive social and emotional development. Provide access to prevention and early intervention services and referrals for treatment programs for mental health.
- Provide support groups for students from diverse social and economic backgrounds as needed.
- Employ appropriately credentialed and qualified therapists/counselors based on individual school needs.

## **Healthy School Environment**

The Charlottesville City School Division strives to offer a healthy school environment to all students and staff. Various possibilities for achieving this goal are described in the regulations will:

- Foster relationships within the greater Charlottesville community.
- Provide school resource officers responsible for security issues at each school. Provide curriculum as a part of a school-wide sustainable effort to increase staff and student awareness about violence prevention and bystander behavior.
- Have a school safety audit conducted periodically as mandated by the Virginia Department of Education and include representatives from the school's administration, teaching staff, custodial staff and student body.
- Establish a school safety committee to implement and update the Division Safety Plan.
- Employ a maintenance staff to ensure the school buildings and surrounding areas are maintained in good condition with respect to structure, temperature, noise, and lighting.
- Prioritize student and staff physical, emotional and social wellness when planning any renovation or new construction, with a specific focus on design elements that directly affect nutrition and physical activity.
  - Kitchen facilities for cooking-from-scratch
  - Optimized lunch-line design
  - Sustainability (e.g., composting, reusable dishes, recycling)
  - Dining facilities that enhance the eating experience and take developmental stage into consideration
  - Space for school gardens
  - Varied and well-maintained playground structures
  - Field space for physical activity

## **Communication, Promotion, and Implementation**

The Charlottesville City School Division will:

- Continue to involve parents, students, representatives of the school food authority, the School Board, school administrators, the School Health Advisory Board (SHAB) and the public in the development of the school wellness policy; and, will increase outreach to the public. The wellness policy and the triennial assessment will be made available to the public.
- Possible activities are included in the regulations.

### **Evaluation**

- The SHAB will be responsible for monitoring the implementation of the Wellness Policy and working with Central Administration for the status and/or update of the regulations.
- Evaluation procedures at the division and school levels are outlined in the regulations.
- A division-wide Wellness Committee (the Chief Academic or Chief Operations Officer, Director of Student Services, Principals, Coordinator of Health/PE, SHAB representatives, Nutrition Services, Head Nurse and H.S. Head Counselor) shall be established for the purpose of monitoring the implementation of the division's Wellness Policy and Regulations; reporting to the Superintendent, and providing guidance for the school wellness teams.
- School principals shall ensure that each school has a school wellness team (consisting of the principal, teachers, parents, nurses, counselors and students in middle and high school) responsible for implementing, monitoring, evaluating and reporting annually on progress towards meeting the division wellness policy goals and regulations.
- The division Wellness Committee shall, at least every 3 years:
  - Conduct a division-wide review of the wellness policy to determine compliance with the wellness policy, how the wellness policy compares to model wellness policies, and progress made in attaining the goals of the wellness policy.
  - Prepare and submit a report to the School Board and School Health Advisory Board regarding the progress toward implementation of the school wellness policy and recommendations for any revisions to the policy as necessary. This report will also include a copy of the current wellness policy, documentation on how the policy and assessments are made available to the public, the most recent assessment of implementation of the policy, and documentation of efforts to review and update the policy.
  - In addition to the funding currently allocated to each school for wellness activities for staff, a priority will be placed on locating additional funds that support both student and staff wellness initiatives. These will be incremental and evolve over time and will focus on more creative use of existing funds from local, state, and federal sources.

### **Professional Learning**

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

## STUDENT SERVICES

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### **SHAB Goals**

Charlottesville City Schools recognizes the importance of health and well being on student's academic and future success. The division also recognizes that staff well being should also be supported as part of maintaining a healthy and productive school environment. A copy of the findings of assessment and goals for the current SHAB are included in the regulations.

A list of members recommended to serve on SHAB will be presented to the School Board annually for approval. A current list of members is included in the regulations.

Adopted: June 15, 2006  
Reviewed: June 19, 2008  
Revised: October 6, 2011  
Revised: September 7, 2017  
Reviewed: June 19, 2018  
Revised: August 1, 2019  
Revised: October 7, 2021

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**Appendix**

**Non-Food Rewards List/Recommendations**

Alliance for a Healthier Generation Non Food Rewards

Healthy Ways to Reward Students

Focus Group: How to Guide

Student Survey

Glossary:

**Extended School Day**- the time during, before and after school that includes activities such as clubs, intramural sports, band and choir practice, drama rehearsals and more.

**School Campus** - areas that are owned or leased by the school and used at any time for school-related activities, including on the outside of the school building, school buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

**School Day**- the time between midnight the night before to 30 minutes after the end of the instructional day.

**Triennial** - recurring every three years

## **Rights & Responsibilities**

The Rights of Requesters and the Responsibilities of Charlottesville City Public Schools under the Virginia Freedom of Information Act.

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials and public employees.

A public record is any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or record in any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open to the public and may only be withheld if a specific statutory exemption applies.

The policy of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

### **FOIA Rights**

- Citizens of the Commonwealth and representatives of the media have the right to request to inspect or receive copies of public records, or both.
- Citizens of the Commonwealth and representatives of the media have the right to request that any charges for the requested records be estimated in advance.
- If a citizen of the Commonwealth or representative of the media believes that their FOIA rights have been violated, the citizen or media representative may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, they may contact the FOIA Council for a nonbinding advisory opinion.

### **Making a Request for Records from Charlottesville City Public Schools**

- Records may be requested by U.S. mail, fax, e-mail, in person or over the phone. FOIA does not require that a request be in writing, nor that it specifically state that records are being requested under FOIA.
- As a practical matter, it may be helpful to both the requestor and the person receiving the request to put the request in writing. This creates a record of the request. It also gives us a clear statement of what records are requested, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to a FOIA request if it is not put in writing.
- A request must identify the records sought with “reasonable specificity.” This is a common-sense standard. It does not refer to or limit the volume or number of records

requested; instead, it requires the requestor to be specific enough so that we can identify and locate the records that are requested.

- A request must ask for existing records or documents. FOIA creates a right to inspect or copy records; it does not apply to general questions about the work of Charlottesville City Public Schools, nor does it require Charlottesville City Public Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by Charlottesville City Public Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor may elect to receive those records electronically, via e-mail or on a computer disk or to receive a printed copy of those records.
- If we have questions about a request, please cooperate with staff's efforts to clarify the type of records sought, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss a request to ensure that we understand what records are being sought.

**To request records from Charlottesville City Public Schools, direct your request to Charlottesville City Public Schools' designated Freedom of Information Act Officer (FOIA Officer) who is responsible for serving as a point of contact for members of the public who wish to request public records. The Charlottesville City Public Schools FOIA Officer is:**

**Beth Cheuk, 434-245-2400.**

In addition, the FOIA Advisory Council is available to answer questions about FOIA. The Council may be contacted by e-mail at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov) or by phone at (804) 698-1810 or 1-866-448-4100.

### **Charlottesville City Public Schools' Responsibilities in Responding to Your Request**

Charlottesville City Public Schools must respond to a request within five working days of receiving it. "Day One" is considered the day after the request is received. The 5-day period does not include weekends or holidays.

The reason behind a request for public records from Charlottesville City Public Schools is irrelevant and a requestor does not have to state why they want the records before we respond to the request. FOIA does, however, allow Charlottesville City Public Schools to require a requestor to provide their name and legal address.

FOIA requires that Charlottesville City Public Schools make one of the following responses to a request within the 5-day time period:

1. We provide the records requested in their entirety.

## SCHOOL-COMMUNITY RELATIONS

File: KBA-E

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2. We withhold all of the records requested, because all of the records are subject to a specific statutory exemption or exemptions. If all of the records are being withheld, we must send a response in writing. That writing must identify the volume and subject matter of the records withheld and state the specific section(s) of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide the remainder of the record. We must provide the requestor a written response stating the specific section(s) of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform the requestor in writing that the requested records cannot be found or do not exist (we do not have the records requested). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response.
5. If it is practically impossible for Charlottesville City Public Schools to respond to the request within the 5-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us 7 additional working days to respond to the request, giving us a total of 12 working days to respond to the request.

If a request is made for a very large number of records and we feel that we cannot provide the records within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to the request. However, FOIA requires that we make a reasonable effort to reach an agreement with the requestor concerning the production of the records before we go to court to ask for more time.

### **Costs**

Except with regard to scholastic records requested pursuant to subdivision A 1 of Va. Code § 2.2-3705.4 that must be made available for inspection pursuant to the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and such requests for scholastic records by a parent or legal guardian of a minor student or by a student who is 18 years of age or older, Charlottesville City Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records and makes all reasonable efforts to supply the requested records at the lowest possible cost.

Charlottesville City Public Schools does not impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the schools. Any duplicating fee charged by Charlottesville City Public Schools will not exceed the actual cost of duplication. Prior to conducting a search for records, Charlottesville City Public Schools notifies the requestor in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquires of the requestor whether the requestor would like to request a cost estimate in advance of the



## SCHOOL-COMMUNITY RELATIONS

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supplying of the requested records as set forth in Va. Code § 2.2-3704.F. A requestor may request that Charlottesville City Public Schools estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs.

The requestor may have to pay for the records requested from the Charlottesville City Public Schools. FOIA allows us to charge for the actual costs of responding to FOIA requests. This includes items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It does not include general overhead costs. Any costs incurred by the Charlottesville City Public Schools in estimating the cost of supplying the requested records will be applied toward the overall charges to be paid by the requestor for the supplying of such requested records.

If we estimate that it will cost more than \$200 to respond to a request, we may require the requestor to pay a deposit, not to exceed the amount of the estimate, before proceeding with the request. The five days that we have to respond to the request does not include the time between when we ask for a deposit and when the requestor responds.

If a requestor owes us money from a previous FOIA request that has remained unpaid for more than 30 days, Charlottesville City Public Schools may require payment of the past-due bill before it will respond to a new FOIA request.

### **How Charges are Determined**

The FOIA Officer, after receiving a request for records, promptly determines whether any requested documents exist and, if they do, the number and location of those records. Where a portion of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:

#### **[SCHOOL BOARD SHALL FILL IN THE SCHEDULE BELOW WITH RATES NOT TO EXCEED ACTUAL COST. A RANGE OF RATES SHOULD BE INSERTED FOR STAFF MEMBER TIME]**

- Staff member search time, charged by the quarter hour; depending on the staff member(s) involved in the search, rates of to per quarter hour may apply
- Computer search time, charged at the rate of per quarter hour
- Computer printouts, charged at the rate of cents per page
- Photocopies (including those necessary to perform redactions), charged at the rate of cents per page
- Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges)

### **Types of Records**

## SCHOOL-COMMUNITY RELATIONS

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The following is a general description of the types of records held by Charlottesville City Public Schools:

- Personnel records concerning employees and officials of Charlottesville City Public Schools
- Scholastic records
- Business and finance records
- Operational records involving support departments such as Technology, Transportation, Facilities, Food Services, etc.
- Agendas, minutes and other records of the meetings of the School Board and committees appointed by the School Board (which are also available on the Charlottesville City Public Schools website at [www.charlottesvilleschools.org](http://www.charlottesvilleschools.org)).
- Records of contracts to which Charlottesville City Public Schools is a party

### Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. Charlottesville City Public Schools commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))
- Records related to critical incident response (§ 2.2-3705.2 (14))
- Scholastic records (§ 2.2-3705.4(1) and 20 U.S.C. § 1232g)

### Policy Regarding the Use of Exemptions

The general policy of Charlottesville City Public Schools is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Charlottesville City Public Schools.

The general policy of Charlottesville City Public Schools is to invoke the contract negotiations exemption whenever it applies in order to protect Charlottesville City Public Schools bargaining position and negotiating strategy.

The general policy of Charlottesville City Public Schools is to invoke the scholastic records exemption in those instances where it applies in order to protect the privacy of students and comply with other state and federal laws governing the privacy of student records.

Adopted: June 20, 2017

SCHOOL-COMMUNITY RELATIONS

File: KBA-E  
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Revised: August 4, 2022

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Legal Ref.: Code of Virginia, 1950, as amended,. §§ 2.1-3704,1

### **DISTRIBUTION OF INFORMATION/MATERIALS**

The Charlottesville City School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. Approval must be obtained from the superintendent, or superintendent's designee, before any materials may be distributed or made available at the request of non-school organizations. Approval will be granted only for materials from governmental organizations regarding activities related to the educational mission of the Charlottesville City School Division.

Approval will not be given for materials which:

- are likely to cause substantial disruption of, or a material interference with, school activities;
- endorse or encourage the use of alcohol, tobacco products, nicotine vapor products, or any illegal substance or action;
- endorse or encourage any violation of the Standards of Student Conduct (see Policy ~~JFC-R~~; JFC Student Conduct); or
- are obscene, pornographic, or defamatory.

The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.

#### **Political Communications**

Students are not required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question; or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.

This Policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.

Adopted: August 6, 1998  
Revised: May 17, 2007  
Revised: February 21, 2008  
Reviewed: June 25, 2013  
Revised: June 26, 2014  
Revised: August 1, 2019  
Revised:

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Legal Refs.: U. S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> Cir. 2006)

## SCHOOL-COMMUNITY RELATIONS

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Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-79.5, 22.1-131, 22.1-279.6 and 22.1-293.

Acts 2016, c. 647.

Cross Refs.: ~~JFC-R~~ — ~~Standards of Student Conduct~~  
JOB Administration of Surveys and Questionnaires  
KG Community Use of School Facilities  
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

## TOBACCO PRODUCTS AND NICOTINE VAPOR PRODUCTS

### Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

### Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: July 16, 1998  
Revised: June 19, 2008  
Revised: June 18, 2009  
Revised: June 26, 2014  
Revised: August 1, 2019  
Adopted:

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PERSONNEL

File: KGC  
(also GBEC and JFCH)  
Page 2 of 2

Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
GBEC/JFCH Tobacco Products and Nicotine Vapor Products  
~~JFC-R Standards of Student Conduct~~  
KG Community Use of School Facilities  
KGB Public Conduct on School Property

## **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.



## COMMUNITY RELATIONS

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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 § ~~19.2-392.01~~; 19.2-392.02; any offense involving the

## COMMUNITY RELATIONS

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- 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

Revised: June 26, 2014

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Revised: August 1, 2019

Revised: August 6, 2020

Adopted:

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

Cross Refs.:	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

**ADVANCED/ALTERNATIVE COURSES FOR CREDIT**

The Charlottesville City School Board has an agreement for postsecondary degree attainment with a community college in the Commonwealth specifying the options for students to complete an associate's degree or a one-year Uniform Certificate of General Studies from the community college concurrent with a high school diploma. The agreement will specify the credit available for dual enrollment courses and Advanced Placement courses with qualifying exam scores of three or higher.

The Charlottesville City School Board may enter into agreements for postsecondary credential, certification or license attainment with community colleges or other public institutions of higher education or educational institutions established pursuant to Title 23.1 of the Code of Virginia that offer a career and technical education curriculum. Such agreements shall specify (i) the options for students to take courses as part of the career and technical education curriculum that lead to an industry-recognized credential, certification or license concurrent with a high school diploma and (ii) the credentials, certifications or licenses available for such courses.

Beginning in the middle school years, students are counseled on opportunities for beginning postsecondary education and opportunities for obtaining industry certifications, occupational competency credentials, or professional licenses in a career and technical education field prior to high school graduation. Such opportunities include access to at least three Advanced Placement (AP), International Baccalaureate (IB), or Cambridge courses or three college-level courses for degree credit. Students taking advantage of such opportunities are not denied participation in school activities for which they are otherwise eligible. Wherever possible, students are encouraged and afforded opportunities to take college courses simultaneously for high school graduation and college degree credit (dual enrollment), under the following conditions:

- Written approval of the high school principal prior to participation in dual enrollment must be obtained.
- The college must accept the student for admission to the ~~course or courses~~ course.
- The ~~course or courses~~ must be given by the college for degree credits (no remedial courses will be accepted).
- Students participating in courses offered by an institution of higher education are permitted to exceed a full course load in order to participate in courses that lead to a degree, certificate, or credential at such institution.

Adopted: April 3, 1998  
Revised: April 15, 1999  
Revised: June 19, 2008  
Revised: July 5, 2012  
Reviewed: June 17, 2021  
Adopted:

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EDUCATION AGENCY RELATIONS

File: LEB  
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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:1.

8 VAC 20-131-140.

Cross Ref.: IGBI           Advanced Placement Classes and Special Programs  
              IKF            The Virginia Assessment Program and Graduation Requirements



# **Policies Reviewed but not Revised**

## QUALITY PROFILES

### I. Division Information

The Charlottesville City School Board annually prepares and disseminates information on the school division and each school within the division. The information is concise, presented in an understandable and uniform format, and, to the extent practicable, presented in a language that parents can understand. The information is accessible to the public and shows how students in the division achieved on the state's student academic assessments compared to students in the state as a whole and how students at individual schools achieved compared to students in the division and in the state.

### II. School Quality Profiles

The Charlottesville City School Board ensures that every school in the division annually provides parents and the community a School Quality Profile in a manner prescribed by the Board of Education. The School Quality Profile includes designated information for the most recent three-year period. The School Quality Profile includes information designated by the Board of Education to include indicators of the following: accountability, assessments, enrollment and demographics, college and career readiness, finance, learning environment, and teacher quality. Specific indicators include:

- Virginia Assessment Program results by percentage of participation and proficiency and disaggregated by student reporting groups;
- accreditation status;
- attendance and absenteeism for students;
- information related to school safety to include incidents of crime and violence; and
- information related to qualifications and educational attainment of the teaching staff.

In addition, School Quality Profiles for secondary schools include the following:

- Advanced Placement (AP) information to include percentage of students who take AP courses and percentage of students who take AP tests
- International Baccalaureate (IB) and Cambridge course information to include percentage of students who are enrolled in IB or Cambridge programs and percentage of students who receive IB or Cambridge Diplomas
- college-level course information to include percentage of students who take college-level courses including dual enrollment courses

## GENERAL SCHOOL ADMINISTRATION

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- number and percentage of (i) graduates by diploma type as prescribed by the Board of Education, (ii) certificates awarded to the senior class including high school equivalency preparation program credentials approved by the Board of Education, and (iii) students who do not complete high school
- number and percentage of dropouts
- the number of Board-approved industry certifications obtained
- the number of state licensure examinations passed
- the number of national occupational competency assessments passed
- the number of Armed Services Vocational Aptitude Battery assessments passed
- the number of Virginia workplace readiness skills assessments passed
- the number of career and technical education completers who graduated. A "career and technical education completer" is a student who has met the requirements for a career and technical concentration or specialization and all requirements for high school graduation or an approved alternative education program

Adopted: August 16, 2007  
Revised: December 20, 2007  
Revised: June 17, 2010  
Revised: June 26, 2014  
Revised: June 17, 2021  
Reviewed/Revised:

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Legal Refs.: 20 U.S.C. § 6311.  
34 C.F.R. 200.11.  
Code of Virginia, 1950, as amended, §§ 22.1-253.13:3, 22.1-253.13:4.  
8 VAC 20-131-270.



# INSTRUCTION

File: IGE  
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## Adult Education

Adult Education Programs shall be offered to those residents of the school division over the age of compulsory school attendance who are not enrolled in the regular public school program, including adult basic education, credit programs, cultural adult education, external diploma programs, general adult education, and high school equivalency programs, and who are functioning below the high school completion level. The School Board shall seek to ensure that every adult participating in such a program has the opportunity to earn a high school diploma or pass a high school equivalency examination approved by the Board of Education. Such programs may be conducted solely by the School Board or through a collaborative arrangement between the School Board and other School Boards or agencies. Additional educational programs for adults also may be offered.

Adopted: July 16, 1998

Revised: October 21, 1999

Reviewed: April 17, 2008

Reviewed: June 25, 2013

Revised: June 26, 2014

Revised: June 19, 2018

Reviewed/Revised:

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Legal References: Code of Virginia, 1950, as amended, §§ 22.1-210; 22.1- 225, 22.1-253.13:1, 22.1-253.13:4. 8 VAC 20-30-20.

Cross References: JEA Compulsory Attendance  
JEG Exclusions and Exemptions from School Attendance  
JN Student Fines, Fees and Charges  
IKF Virginia Assessment Program and Graduation Requirements

**ADVANCED PLACEMENT CLASSES AND SPECIAL PROGRAMS**

Students and their parents are notified of the availability of dual enrollment, Advanced Placement classes; career and technical education programs, including internships, externships, apprenticeships, credentialing programs, certification programs, licensure programs, and other work-based learning experiences; and Academic Year Governor's School Programs; the qualifications for enrolling in such classes, programs, and experiences; and the availability of financial assistance to low-income and needy students to take the Advanced Placement exam. Students and their parents are also notified of the program with a community college to enable students to complete an associate's degree or a one-year Uniform Certificate of General Studies concurrent with a high school diploma and eligibility for course offerings at the University of Virginia for students who have successfully completed all courses in the high school program of studies in a particular content area. The Superintendent promulgates regulations to implement this policy, which ensure the provision of timely and adequate notice to students and their parents.

Adopted: October 21, 1999

Revised: April 17, 2008

Revised: July 5, 2012

Revised: June 20, 2017

Revised: June 19, 2018

Reviewed/Revised:

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

Cross Ref.: IGAD Career and Technical Education  
LEB Advanced/Alternative Courses for Credit

# INSTRUCTION

## ACCELERATION

The curriculum and schedule of elementary, middle and high schools shall provide flexibility in placing certain students in programs or subjects normally considered above their grade level. Scheduling eighth grade students into subjects above the normal grade level is done with counseling based on evidence of ability, past scholastic achievement and cooperation of the individual student and his parents or guardian.

When students below the ninth grade successfully complete courses offered for credit in grade 9 through 12, credit shall be counted toward meeting the standard units required for graduation provided the courses are equivalent in content and academic rigor as those courses offered at the secondary level. To earn a verified unit of credit for these courses, students below ninth grade level must meet the same requirements applicable to other students.

In any high school credit-bearing course taken in middle school, a parent may request that the grade be omitted from the student's transcript and the student not earn high school credit for the course. Such requests shall be made in the format and by the deadline set forth in regulations developed by the superintendent.

Adopted: July 16, 1998  
Reviewed: April 17, 2008  
Revised: June 16, 2011  
Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 19, 2018  
Reviewed/Revised:

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Legal References: Code of Virginia, 1950, as amended, section . §§ 22.1-78. 22.1- 253.13:3.  
8 VAC 20-131-50  
8 VAC 20-131-51  
8 VAC 20-131-90

Cross Reference: IGBB            Programs for Gifted Students  
                          JO                Student Records  
                          JOA              Student Transcripts

## SCHOOL ATTENDANCE ZONES

### A. Establishment of Zones

School attendance zones for each school are established by the Board. 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 preK-4 school and a single citywide attendance zone is established for schools serving students in grades 5-12.

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

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

## INSTRUCTION

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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:

- Grade K-4 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 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.

### 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 Assistant Superintendent for Administration 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 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 Assistant Superintendent for Administration, 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.

## INSTRUCTION

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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.

Approved: April 3, 2003  
Revised: June 19, 2008  
Revised: June 23, 2013  
Revised: June 26, 2014  
Revised: June 19, 2018  
Reviewed/Revised:

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Legal References: Code of Virginia, 1950 as amended, §§ 22.1-7.1, 22.1-7.2, 22.1-78, 22.1-79

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