

## NONDISCRIMINATION

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

Adopted: July 16, 1998  
Revised: October 16, 2003  
Revised: December 20, 2007  
Revised: June 25, 2013  
Revised: June 19, 2018  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised:

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Legal Refs.: 20 U.S.C. §§ 1681-1688.  
29 U.S.C. § 794.  
42 U.S.C. §§ 2000d-2000d-7, 2000e-2000e-17, 2000ff-1.  
34 C.F.R. 106.9.  
Constitution of Virginia, article I, section 11.  
Code of Virginia, 1950, as amended, §§ 2.2-3900, 2.2-3901, 2.2-3902, 22.1-23.3  
22.1-26.2, 22.1-295.2.

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

## SCHOOL BOARD LEGAL STATUS

The School Board of the City of Charlottesville derives its authority from the Constitution of Virginia, ~~the Code of Virginia, and the regulations of the Board of Education.~~ **and the laws of Virginia.**

The Charlottesville City School Board members are officers of the Commonwealth.

The Charlottesville City School Board governs the school division. Board.

The School Board is a corporate body whose official title is Charlottesville City School

Adopted: August 6, 1998

Revised: December 20, 2007

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

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Legal Reference: Constitution of Virginia, Art. VIII, section 7, Code of Virginia, 1950, as amended, §§ 22.1-2, 22.1-28, 22.1-31, 22.1-71.

Cross Reference: AA, School Division Legal Status

BBAA Board Member Authority

## SCHOOL BOARD MEMBER AUTHORITY

The School Board is a body corporate, and in its corporate capacity is vested with all the powers and charged with all the duties, obligations, and responsibilities imposed upon school boards by law and may sue, be sued, contract, be contracted with, and purchase, take, hold, lease and convey school property, both real and personal. School Board members ~~shall~~ have no authority or duties except such as may be assigned to them by the School Board as a whole.

Adopted: August 6, 1998

Revised: October 16, 2003

Reviewed: December 20, 2007

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

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Legal Reference: Code of Virginia, 1950, as amended, section 22.1-71.

Cross References: AA School Division Legal

BB School Board Legal Status

## 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

### 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 subsidiary 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.

"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.

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

- 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
  - a) the member certifies that he had no involvement with the hiring decision; and
  - b) 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 ~~his or her~~ **the Board member's or employee's** official duties other than ~~his or her~~ **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 ~~his or her~~ **the Board Member's or employee's own** economic benefit, or anyone else's, confidential information gained by reason of ~~his or her~~ **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 ~~him or her~~ **the Board Member or employee** in the performance of ~~his or her~~ **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 ~~him or her~~ **the Board Member or employee** to influence ~~his or her~~ **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 ~~his or her~~ **the Board Member's or employee's** public office or employment for private gain; or
- use ~~his or her~~ **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. 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-subsidary 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

Each elected school board member completes the training session on the State and Local Government Conflict of Interest Act 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:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 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

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File: BCB

SCHOOL BOARD OFFICERS

The officers of the School Board are a chairperson and vice-chairperson. The chairperson and the vice-chairperson are elected annually at the organizational meeting of the School Board.

#### School Board Chairperson

The duties of the chairperson are to preside at all meetings of the School Board, to perform such other duties as may be prescribed by law or by action of the School Board, and to sign all legal documents approved by the School Board.

The chairperson, as a member of the School Board, has a vote on all matters before the School Board which come to a vote, but does not have an additional vote as chairperson in case of a tie.

#### Vice-Chairperson

The vice-chairperson, if present, ~~shall preside~~ **presides** in the absence of the chairperson, and is empowered to act in all matters in case of the absence or inability of the chairperson to act or as provided by resolution of the School Board. If neither the chairperson or vice-chairperson is present, a majority of board members present, if they constitute a quorum, shall elect one from among themselves to chair the meeting.

Adopted: August 6, 1998

Revised: October 16, 2003

Reviewed: December 20, 2007

Revised: June 25, 2013

Reviewed: June 20, 2017

Reviewed: June 20, 2017

Revised:

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-72, 22.1-76.

Cross Reference: BCA School Board Organizational Meeting

© 6/13 VSBA

File: BCC

## SCHOOL BOARD CLERK

On recommendation of the Superintendent, a clerk and a deputy clerk shall be appointed annually at the organizational meeting of the School Board.

The clerk and deputy clerk shall each be bonded in an amount no less than ten thousand dollars (\$10,000), and the School Board shall pay the premiums for each bond. The clerk and deputy clerk shall discharge under the general direction of the division superintendent all duties as required by law and such other duties as may be required by the School Board or the State Board of Education.

Adopted: August 6, 1998

Revised: December 20, 2007

Revised: June 16, 2011

Reviewed: June 27, 2016

Reviewed: August 6, 2020

Legal References: Code of Virginia, 1950, as amended, sections 22.1-76, 22.1-77.

**Cross References: BBFA Conflict of Interests and Disclosure of Economic Interests**

<b><u>BCA</u></b>	<b><u>School Board Organization Meeting</u></b>
<b><u>BHB</u></b>	<b><u>Board Member In-Service Activities</u></b>
<b><u>CBCA</u></b>	<b><u>Disclosure Statement of Superintendent</u></b>

File: BCE

## SCHOOL BOARD COMMITTEES

There shall be no standing committees of the Charlottesville City School Board except the Student Discipline Committee.

Special committees may be appointed by the chairman or created by School Board action. These committees shall be appointed or created for a specific purpose and shall expire upon completion of the assigned task unless School Board action authorizes temporary continuance of such committees.

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

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Legal References: Code of Virginia, 1950, as amended, §§22.1-78, 22.1-277.6

Cross References: BCEA Disciplinary Committee  
**BCF Advisory Committees to the School Board**  
BDA Regular School Board Meetings  
BDB Special School Board Meetings  
BDC Closed Meetings  
GB Equal Employment Opportunity/NonDiscrimination

File: BDA

## 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 ~~law~~.

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 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 ~~School Board~~ 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:

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Legal References: Code of Virginia, 1950, as amended, §§ 2.2-3707, 2.2-3708,  
2.2-3710, 22.1-72 and 22.1-74

Cross References: KC Community Involvement in Decision Making  
BCA Board Organizational Meetings  
BDD Electronic Participation in Meetings from Remote Locations  
BDDA Notification of ~~School Board~~ Meetings  
BDDG Minutes

File: BDB

## SPECIAL SCHOOL BOARD MEETINGS

The School Board holds special and continued meetings when necessary. Special meetings are held when called by the chairman or when requested by two or more members. Special meetings may be called provided each member is ~~duly~~ notified, or a reasonable attempt has been made to notify each member.

Business that does not come within the purposes set forth in the call of the meeting is not transacted at any special meeting of the School Board unless the members present unanimously agree to consider additional items of business.

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

Adopted: August 6, 1998

Revised: October 16, 2003

Revised: December 20, 2007

Revised: July 5, 2012

Revised: June 20, 2017

Revised:

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

Cross Refs.: KC Community Involvement in Decision Making  
BCA Board Organizational Meetings  
BDDA Notification of School Board Meetings  
BDDG Minutes

File: BDC

## CLOSED MEETINGS

A Closed meetings may be held only in accordance with Virginia law, for the following purposes:

1. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the School Board. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the School Board. The School Board may not, however, discuss the compensation of Board members in closed session.
2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student in the Charlottesville City School Division. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents or guardians so request in writing and such request is submitted to the presiding officer of the School Board.
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the School Board.
4. The protection of the privacy of individuals in personal matters not related to public business.
5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.



6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the School Board would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the School Board for purposes of this subsection, "probable litigation" means litigation which has been specifically threatened or on which the School Board or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by the School Board regarding specific legal matters requiring the provision of legal advice by such counsel. The closure of a meeting is not permitted merely because an attorney representing the School Board is in attendance or is consulted on a matter.

9. Discussion or consideration of honorary degrees or special awards.

10. Discussion or consideration of tests or examinations or other information used, administered or prepared by a public body and subject to the exclusion in subdivision 4 of Va. Code § 2.2-3705.1.

11. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the School Board in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the School Board or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

12. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of Va. Code § 2.2-3705.5.

13. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 3 or 4 of Va. Code § 2.2-3705.2 where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

14. Discussion or consideration of information subject to the exclusion in subdivision 11 of Va. Code § 2.2-3705.6 (the Public Private Education Facilities and Infrastructure Act) by the School Board or any independent review panel appointed to review information and advise the School Board concerning such information.

15. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the School Board.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the School Board, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

**C. The School Board or any committee thereof may permit nonmembers to attend a closed meeting of the Board or committee if such persons are deemed necessary or if their presence will reasonably aid the Board or committee in its consideration of a topic which is a subject of the meeting.**

**D. School Board members may attend closed meetings held by any committee or subcommittee of the Board, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise the Board. School Board members shall in all cases be permitted to**

**observe the closed meeting of the committee, submittee, or entity. In addition to the requirements of Va. Code § 2.2-3707, the minutes of the committee or other entity shall include the identity of the School Board members who attended the closed meeting.**

Adopted: August 6, 1998  
Revised: October 16, 2003  
Revised: August 16, 2007  
Revised: December 20, 2007  
Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 20, 2017  
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3711, 2.2-3712.

Cross Ref.: BCE School Board Committees  
BCEA Disciplinary Committee  
BCF Advisory Committees to the School Board  
BDDA Notification of ~~School Board~~ Meetings

File: BDCA

CALLING AND CERTIFICATION OF CLOSED MEETINGS

- A. No closed meetings are held by the School Board or any committee thereof unless the School Board or committee has taken an affirmative recorded vote in an open meeting approving a motion which (i) identifies the subject matter, (ii) states the purpose of the meeting as authorized in Va. Code § 2.2-3711.A or other provision of law and (iii) cites the applicable exemption or exemptions from open meeting requirements provided in the Virginia Freedom of Information Act or other provision of law. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of the Virginia Freedom of Information Act or authorized exemptions from open meeting requirements, or the subject matter of the closed meeting is not sufficient to satisfy the requirements for holding a closed meeting.
- B. The School Board, or committee thereof, in holding a closed meeting, restricts its discussion during the closed meeting only to those purposes specifically exempted under FOIA and identified in the motion required in Section A, above.
- C. At the conclusion of any closed meeting, the School Board or committee thereof immediately reconvenes in an open meeting and takes a roll call or other recorded vote to be included in the minutes, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting. Any member of the Board or committee who believes that there was a departure from the requirements of subdivisions (i) and (ii) above, states prior to the vote, indicating the substance of the departure that, in his the member's judgment, has taken place. The statement shall be recorded in the minutes of the meeting.
- D. Failure of the certification required by Section C, above, to receive the affirmative vote of a majority of the members present during a meeting does not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with these provisions. The recorded vote and any statement made in connection therewith, upon proper authentication, constitutes evidence in any proceeding brought to enforce FOIA.
- E. Except as specifically authorized by law, in no event may the School Board or committee thereof take action on matters discussed in any closed meeting, except at an open meeting for which notice was given pursuant to Va. Code § 2.2-3707.
- F. The School Board is subject to a civil penalty of up to \$1,000 if a court finds that the Board voted to certify a closed meeting in accordance with Section C above and such certification was not in accordance with FOIA.

Adopted: August 6, 1998  
Revised: October 16, 2003  
Reviewed: December 20, 2007

Revised: June 25, 2013  
Revised: June 20, 2017  
Revised: August 1, 2019  
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, § 2.2-3701, 2.2-3712.

Cross Refs.: BCE School Board Committees  
BCEA Disciplinary Committee  
BCF Advisory Committees to the School Board  
BDC Closed Meetings  
BDDA Notification of ~~School Board~~ Meetings

File: BDD

## ELECTRONIC PARTICIPATION IN 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 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.**

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

**“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.**

#### **I. Quorum Physically Assembled Individual Remote Participation)**

A. ~~The School Board may conduct any meeting wherein the public business is discussed or transacted through electronic communication means from a remote~~

~~location that is not open to the public:~~

~~1. if, on or before the day of a meeting, a member of the School Board notifies the chair that such member is unable to attend the meeting due a temporary or permanent disability or other medical condition that prevents the member's physical attendance, a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, or that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and~~

~~2. the School Board~~

~~a. approves the member's participation by a majority vote of the members present at the primary or central meeting location~~

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

~~B. If participation by a School Board member through electronic communication means is approved pursuant to subsection A above, the School Board records in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved due to a temporary or permanent disability or other medical condition, the School Board also includes in its minutes the fact that the member participated through electronic~~

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~~File: BDD~~

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~~Page 2~~

~~communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a personal matter, the School Board also includes in its minutes the specific nature of the personal matter cited by the member.~~

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

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

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

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 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.**

#### **H. 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 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 shall

- give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the School Board;
- make arrangements for public access to the meeting through electronic communications means, including videoconferencing if already used by the School Board:
  - 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 shall be 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:

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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.  
~~Acts 2020, c. 1283.~~

~~Cross Ref.: BDDG Minutes~~

**Cross References:**    **BCE   School Board Committees**  
                              **BCEA Disciplinary Commtee**  
                              **BCF   Advisory Committees to the School Board**  
                              **BDD   Notification of Meetings**  
                              BDDG Minutes

File: BDDA

## NOTIFICATION OF ~~SCHOOL BOARD~~ MEETINGS

### Regular Meetings

The School Board and any committees thereof shall 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 shall 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 ~~shall be~~ 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 ~~shall be~~ 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 ~~shall announce~~ announces in an open meeting that such closed meeting ~~shall~~ will be held at a disclosed or undisclosed location within fifteen days thereafter.

### Direct Notification

Notice of all School Board meetings and committee meetings shall be 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

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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  
BDB Special School Board Meetings

File: BDDC

#### AGENDA PREPARATION AND DISSEMINATION

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

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

Adopted: August 6, 1998  
Revised: October 16 2003  
Revised: December 20, 2007  
Reviewed: June 25, 2013  
Revised: June 26, 2014  
Revised: June 20, 2017  
Revised: June 17, 2021  
Revised:

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

Cross Refs.:	BDA	Regular School Board Meetings
	BDB	Special School Board Meetings
	BDDA	Notification of <del>School Board</del> Meetings

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File: BDDF

#### 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 ~~shall~~ will again be voted upon even though all members are not present.

~~When the full Board is present,~~ **At the subsequent meeting,** a tie vote shall defeat the motion, resolution or issue voted upon.

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:

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

Cross References: BDD Electronic Participation in Meetings from Remote BDDG Minutes

File: BDDG

## MINUTES

Minutes are ~~recorded~~ **taken** at all open meetings, approved by the ~~school board~~ **School Board** in regular session, signed by the clerk and chairman of the ~~board~~ **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~~ **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~~ **School Board** except where the membership of any such commission, committee or subcommittee includes a majority of the ~~school board~~ **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~~ **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:

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

Cross Refs.: BDC Closed Meetings  
BDD Electronic Participation in Meetings from Remote Locations  
KBA Requests for Public Records  
KBA-R Requests for Public Records

©~~2/19~~ VSBA

File: BF

## BOARD POLICY MANUAL

~~The Board is guided by written policies that are readily accessible to the Board, division employees, students, and citizens. The division manual shall be reviewed at least every five years and revised as needed. A current copy of all division policies approved by the School Board and regulations are posted on the division web site and are available to employees and the public. Printed copies of division policies and~~



~~regulations are available. The Superintendent shall ensure that an annual announcement is made at the beginning of the school year and, for parents of students who enroll later in the academic year, at the time of enrollment, advising the public regarding the availability of the policies and regulations.~~

**The School Board adopts policies for governing the school division. The power to enact policy cannot be delegated to an employee or agent such as the superintendent or a single member of the School Board.**

**Policy is a basic statement related to the conduct of the school division's business. Policies are subject to revision by the School Board.**

**Regulation is the manner or method of implementation of policy by the superintendent and staff. Regulations are subject to revision by the superintendent.**

**Policies may be developed and presented to the Board by the superintendent or superintendent's designee. The final authority for adoption rests solely with the School Board.**

**When a proposed action of the School Board, initiated either by Board member or administration, affects existing School Board policies, the existing policy and regulation, if any, shall be referenced so that the effect of the new action will be clear.**

**Unless otherwise specified in the policy, a new or revised policy becomes effective upon adoption.**

**All regulations are developed by or through the superintendent. They are presented to the School Board as information items, unless the School Board informs the superintendent that it wants to act on a specified regulation.**

Adopted: August 6, 1998  
Revised: December 20, 2007  
Revised: June 25, 2013  
Reviewed: June 20, 2017  
Revised:

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Legal Reference: Code of Virginia, 1950, as amended, sections 22.1- 253.13:7  
**Underwood v. Henry County School Board, 245 BVa. 127, 427 S.E2d330**

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Cross Reference: **BF Board Policy Manual**  
**BFE/CHS Administration in Policy Absences**  
**CH Policy Implementation**

File: BFC

## POLICY ADOPTION

~~It is the responsibility of the School Board to adopt~~ **The School Board adopts** policies for governing the school division. The power to enact policy cannot be delegated to an employee or agent such as the superintendent or a single member of the School Board.

~~Policy is a basic statement of the intent of the School Board which creates rights and responsibilities for~~ **related to** the conduct of the school division's business. ~~Being of a dynamic nature, policies~~ **Policies** are subject to revision by the School Board.

Regulation is the manner or method of implementation of policy by the superintendent, ~~subject to change as conditions and/or circumstances may dictate.~~ **and staff. Regulations are subject to revision by the superintendent.**

Policies shall **may** be developed and presented to the Board ~~evidencing the consideration given to the views of the division's community~~ **by the superintendent or superintendent's designee.** The final authority for adoption rests solely with the School Board.

When a proposed action of the School Board, initiated either by Board member or administration, affects existing School Board policies, the existing policy and regulation, if any, shall be presented so that the effect of the new action will be clear.

Unless otherwise provided, when policies are adopted, altered or replaced, the new or revised policy shall become effective upon adoption. **specified in the policy, a new or revised policy becomes effective upon adoption.**

All regulations for implementation of the policies shall be **are** developed by or through the Superintendent. They shall be **are presented** made available to the School Board **as information items** unless the School Board informs the superintendent that it wants to act on a specified regulation. The Board reserves the right to review and veto administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board. Where changes in policy and/or regulations are made, these shall be prepared and distributed to all concerned for insertion into the policy and/or regulations manuals so that action of the School Board may be implemented as soon as possible.

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

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-253.13:7  
Underwood v. Henry County School Board, 427 S.E. 2d 330, 245 Virginia  
217, 9-VLR-904 (1993)

Cross References: BF Board Policy Manual  
BFE/CHD Administration in Policy Absence  
CH Policy Implementation

File: BHB

### SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES

The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Board shall plan specific in-service activities designed to assist School Board members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society. School board members will participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel, policies and practices; evaluation of personnel; curriculum and instruction; use of data in planning and decision-making; and current issues in education. Funds shall be budgeted annually to support this program. Individual School Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The School Board shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed about the School Board's continuing in-service educational activities. The School Board regards the following as the kinds of activities and services appropriate for implementing this policy: 1. Participation in School Board conferences, workshops and conventions conducted by the Virginia and the National School Boards Association. 2. Division-sponsored training sessions for School Board members. 3. Subscriptions to publications addressed to the concerns of School Board members.

Members of the 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.

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:

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Legal Reference: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1- 253.13:5

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

© 5/13 VSBA

File: CBCA

#### DISCLOSURE STATEMENT REQUIRED OF SUPERINTENDENT

The ~~Division~~ Superintendent, as a condition to assuming employment, files a disclosure statement of ~~his or her~~ personal interests and other information as is required on the form prescribed by the Virginia Conflict of Interest and Ethics Advisory Council pursuant to Code of Virginia § 2.2-3117. The disclosure statement is filed on or before the day the superintendent assumes employment for the preceding 12-month period complete through the last day of the month immediately preceding the month in which the superintendent assumes employment. However, if the superintendent assumes employment in January, the superintendent files a disclosure form on or before February 1 for the preceding year complete through December 31. Completed forms are filed and maintained as public records for five years in the office of the clerk of the Charlottesville City School Board. After the initial disclosure, the ~~division~~-superintendent ~~must file~~ **files** this statement annually on or before February 1.

Adopted: April 3, 1998

Revised: December 11, 2003  
Revised: December 20, 2007  
Revised: June 25, 2013  
Revised: June 20, 2017

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3115, 2.2-3117, 2.2- 3118.2

File: CF

## SCHOOL BUILDING ADMINISTRATION

~~The principal shall respond to concerns expressed by parents and involve the community in planning and problem solving for the school where appropriate. The principal prepares budget requests indicating needs for the school, and is accountable for funds allocated to the schools. The principal implements the severe weather and disaster plans upon notification by the Superintendent or his/her designee. The~~ Charlottesville City School Board, upon recommendation of the superintendent, employs principals and assistant principals who hold licenses as prescribed by the Board of Education.

A principal provides instructional leadership in ~~supporting a positive school environment~~, is responsible for the administration of and supervises the operation and management of the school or schools and property to which he ~~he~~ **the principal** has been assigned, in accordance with the rules and regulations **policies** of the School Board and under the supervision of the superintendent.

A principal may submit recommendations to the superintendent for the appointment, assignment, promotion, transfer and dismissal of all personnel assigned to his **the principal's** supervision.

Adopted: April 3, 1998 Revised: December 11, 2003 Reviewed: December 20, 2007  
Revised: June 25, 2013 Reviewed: June 20, 2017

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1-293  
~~Guidelines for Uniform Performance Standards and Evaluation Criteria for Principals,~~  
~~Virginia Board of Education~~

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

DGC School Activity Funds

DGD Funds for Instructional Materials and Office Supplies

**GCI Professional Staff Assignments and Transfers**

GCN Evaluation of Professional Staff

File: CLA

## REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

### I. Acts Reported to the **Superintendent and** Principal

~~A. Except as may otherwise be required by federal law, regulation, or juris-prudence,~~  
~~reports shall be made to the principal (or designee) on all incidents involving:~~

~~(i) assault, or assault and battery, without bodily injury of any person~~

~~(ii) assault and battery which results in bodily injury, sexual assault, death,~~  
~~shooting, stabbing, cutting, or wounding of any person, abduction of any~~  
~~person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking~~  
~~of any person as described in Va. Code § 18.2-60.3~~

~~(iii) any conduct involving alcohol, marijuana, a controlled substance, imitation~~  
~~controlled substance or an anabolic steroid including the theft or attempted theft~~  
~~of student prescription medications~~

~~(iv) any threats against school personnel~~

~~(v) illegal carrying of a firearm as defined in Va. Code § 22.1-277.07 onto~~

~~school property~~

~~(vi) 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~~

~~(vii) any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or schools buses;~~

~~(viii) 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 therefore; and~~

~~(ix) any illegal possession of weapons, alcohol, drugs, or tobacco products.~~

~~The principal of each school shall collect and maintain information on the above listed acts.~~

**A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving**

**1. Alcohol, marijuana, a controlled substance, an 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;**

**2. The assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;**

**3. The sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §18.2-47 or §18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;**

**4. Any written 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; or**

**9. Any illegal possession of weapons, alcohol, drugs or tobacco products.**

**The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus or at a school-sponsored activity.**

B. The ~~division~~ Superintendent and principal (designee) shall receive reports from local law enforcement authorities on offenses,

(i) wherever committed, by students enrolled at the school if the offense would be a felony if committed by adult or

(ii) that 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 (iii) that would be an adult misdemeanor involving any incidents described in

clauses (i) through (viii) **1-8 of subsection A 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.**

~~The information received should state whether or not the student is released to the custody of his parent or, if 18 years of age or more, is released on bond.~~ The Superintendent ~~shall~~ **may** request that the reports include information regarding terms of release from detention, court dates, and terms of any disposition orders entered by the court.

When the division Superintendent 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, the Superintendent will report such information to the principal of the school in which the juvenile is enrolled.

## II. Reporting Duties of the Principal and Superintendent

Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

- Immediately reports to the local law-enforcement agency any incident described in clause 1.A.1 of this policy that may constitute a felony offense;
- Immediately reports to the local law-enforcement agency any incident described in clauses 1.A.3 through 7 of this policy except that a principal is not required to but may report to the local law-enforcement agency any incident described in clause 1.A.4 committed by a student who has a disability;
- May report to the local law-enforcement agency any other incident described in clauses 1.A.1 through 8 of this policy that is not required to be reported by the previous two bullets; and
- Immediately reports any act enumerated in clauses 1.A.1 through t of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident has been so reported, that the parents may contact local law enforcement for further information.

The principal or designee shall report all incidents required or authorized to be reported pursuant to ~~section I~~ clause 1.A of this policy to the Superintendent. The Superintendent shall annually report all such incidents to the Department of Education for the purpose of recording the frequency of such incidents on forms that are provided by the Department and makes ~~and shall make~~ such information available to the public.

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

~~Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal shall immediately report to local law enforcement officials any of the acts listed in clauses (ii) through (vii) of subsection I.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (i) of subsection I.A.~~

~~In addition, except as may be prohibited by federal law, regulation, or jurisprudence, the principal will also immediately report any act enumerated in clauses (ii) through (v) of subsection 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~~

~~will report whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident is so reported, that the parents may contact local law enforcement for further information, if they so desire.~~

~~A division superintendent who knowingly fails to comply or secure compliance with the reporting requirements of this subsection shall be subject to the sanctions authorized in § 22.1-65. A principal who knowingly fails to comply or secure compliance with the reporting requirements of this section shall be subject to sanctions which may include, but need not be limited to, demotion or dismissal.~~

The principal or his designee ~~shall also notify~~ notifies the parent of any student involved in an incident required pursuant to this section to be reported, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice shall relate to only the relevant student's involvement and shall not include information concerning other students.

### III. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student shall be required to participate in such prevention and intervention activities as deemed appropriate by the Superintendent or Superintendent's designee.

The School Board shall develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs to prevent violence and crime on school property and at school sponsored events, which shall include prevention of hazing. Activities designed to prevent the recurrence of violence and crime, including hazing, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, community service requirements, and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a network of volunteer services in implementing prevention activities.

### IV. Purpose

The purpose of reporting acts of violence and substance abuse shall be to develop a program of prevention activities that will provide children and staff with a school environment that is safe and conducive to learning.

Adopted: April 3, 1998

Revised: December 11, 2003

Revised: December 20, 2007

Revised: June 16 2011

Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 19, 2018  
Revised: August 6, 2020  
Revised:

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Legal References: Code of Virginia, 1950, as amended, sections 8.01-47, and 22.1- 279.3:1, 22.1-279.9

8 VAC 20-560-10.

File: CM

## SCHOOL DIVISION ANNUAL REPORT

The School Board, with the assistance of the Superintendent, shall make a report ~~on or before September 15 of each year~~ covering the work of the schools for the year ending **the preceding** June 30 to the State Board of Education **according to a timeline** **and** on forms supplied by the Superintendent of Public Instruction.

Adopted: April 3, 1998  
Revised: December 11, 2003  
Reviewed: December 20, 2007  
Reviewed: June 25, 2013  
Reviewed: August 6, 2020  
Revised:

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Legal Reference: Code of Virginia, 1950, as amended, § 22.1-81.

File: EB

#### 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 consults with law-enforcement, fire, and regional emergency personnel in the development and/or annual review of such plans. The Department of Education and the Virginia Center for School and Campus Safety 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.

The School Board designates ~~Assistant Superintendent for Finance and Operations~~  
**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 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 establishes a school safety audit committee 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 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 School Board's standards for student conduct. **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. 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
- 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:

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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.: 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

File: EBB

### 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 will 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 will include 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.** Each team will



- 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 shall immediately report 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 use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

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

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:

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

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

File: EBBB

## PERSONNEL TRAINING-VIRAL INFECTIONS

All school personnel having direct contact with students ~~shall~~ receive appropriate training in the etiology, prevention, transmission modes, and effects of blood-borne pathogens, specifically, hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia Occupational Safety and Health Program within the Department of Labor and Industry.

Adopted: February 19, 2004

Reviewed: May 15, 2008

Reviewed: June 25, 2013

Revised: June 20, 2017

Revised:

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Legal Ref: Code of Virginia, § 22.1-271.3.

Cross Refs: EBAB Reporting of Possible Exposure to Viral Infections  
JHCC Communicable Diseases  
JHCCA Blood-Borne Contagious or Infectious Diseases

© 5/19 VSBA

File: EEA

## STUDENT TRANSPORTATION SERVICES

The Charlottesville City School Board provides for the transportation of students as required by state and federal laws and regulations.

The superintendent collaborates with the local social services agency to develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged and funded for the duration of time in foster care. The procedures ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with 42 U.S. C. § 675(4)(A) and ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in

their school of origin, the school division will provide transportation to the school of origin if the local social services agency agrees to reimburse the local school division for the cost of such transportation, the school division agrees to pay for the cost of such transportation or the school division and the local social services agency agree to share the cost of such transportation.

Students may be suspended from using school transportation services for violations of the **Policy JFC Student Conduct**, ~~the Student Code of Conduct~~ **Standards of Student Conduct** or when the student endangers the health, safety or welfare of other riders. In such cases the parent or guardian is responsible for transporting the student to school.

Adopted: April 3, 1998

Revised: February 19, 2004

Reviewed: May 15, 2008

Revised: June 18, 2009

Revised: June 26, 2014

Revised: June 20, 2017

Revised:

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Legal Ref.: 20 U.S.C. § 6312. Code of Virginia, §§ 22.1-78, 22.1-176, 22.1-221, 22.1-254.

Cross Refs.: EEAB School Bus Scheduling and Routing

EEAC School Bus Safety Program

**GDQ School Bus Drivers**

IICA Field Trips JCA Transfer Requests by Student Victims of Crime

JEC-R School Admission

JECA Admission of Homeless Children

JECB (Opt. 1) Admission of Nonpublic Students for Part-Time Enrollment

JEG Exclusions and Exemptions from School Attendance

**JFC Student Conduct**

JFCC Student Conduct on School Buses

~~JFC-R Standards of Student Conduct~~

LC-E Charter School Application Addendum

File: EEAC

### SCHOOL BUS SAFETY PROGRAM

All buses and other vehicles owned and operated by the Division are inspected for safety in accordance with the regulations prescribed by the Department of Education.

All accidents, regardless of the amount of damage involved, are reported to the transportation supervisor.

Crashes involving school buses resulting in property damage of \$1,500 or more or personal injury are reported to the Virginia Department of Education at least once per month. The superintendent or superintendent's designee notifies the Virginia Department of Education of any school bus crash involving serious injuries, requiring professional medical treatment, or

death within the next working day after the crash.

No person uses any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this policy prohibits the use of two-way radio devices or wireless telecommunications devices that are used hands free to allow live communication between the driver and school or public safety officials.

Adopted: April 3, 1998

Revised: May 15, 2008

Revised: June 19, 2008

Revised: June 18, 2009

Revised: June 25, 2013

Revised: June 20, 2017

Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ **22.1-16**, 46.2-919.1.

8 VAC 20-70-130.

8 VAC 20-70-140.

File: EEAD

#### SPECIAL USE OF SCHOOL BUSES

The use of school buses for purposes other than transporting children to and from school for the regular school hours and for extracurricular activities is permitted with prior approval of the superintendent and in accordance with **the superintendent's** regulations pertaining to field trips.

In addition, the School Board may enter into agreements with **any third-party logistics company**, its appropriating body, or any state agency or any federal agency established or identified pursuant 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such **company**, body or agency for public purposes, including transportation for the elderly **or private purposes, except that such third-party logistics company may not use the school buses to provide transportation of passengers for compensation or for residential delivery of products for compensation.**

Each such agreement shall provide for reimbursing the school board in full for the proportionate share of any and all costs, both fixed and variable, of such buses incurred by ~~such school board~~ **the School Board** attributable to the use of such buses pursuant to such agreement. **Each such agreement must require the third-party logistics company, appropriating body, or agency to supply insurance on the school bus that meets the minimum requirements in Va. Code §22.1-190.** The ~~third-party logistics company,~~ appropriating body, or state or federal agency, shall indemnify and hold harmless the ~~school board~~ **School Board** from any and all liability of the ~~school board~~ **School Board** by virtue of use of such buses pursuant to an agreement.

Adopted: April 3, 1998

Reviewed: May 15, 2008

Revised: June 18, 2009

Reviewed: June 26, 2014

Reviewed; August 1, 2019

Revised:

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-176; 22.1-182;

Cross Reference: (IICA), Field Trips

File: EFB

## FOOD SERVICES

### Generally

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

The School Board does not file lawsuits against a student or the student's parents

because the student cannot pay for a meal at school or owes a school debt.

**Neither the 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 Charlottesville City school division provides free and reduced-price breakfasts, lunches and milk to students according to the terms of the National School Lunch Program and the National School Breakfast Program.

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

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

#### Free and Reduced Price Food Services

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

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

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

**If any school in the division has a student population that qualifies for free and reduced-price meals at minimum percentage of 50 percent in the prior school year and simultaneously offers educational or enrichment activities, the School Board 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**

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

**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

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

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

Notices of low or negative balances in a student's meal account are to be sent as well as orally communicated to parents/guardians and the school principal. Parents/Guardians whose student has a negative balance status must either pay the cash value of the school meal each day or bring a lunch from home. Monies deposited to a negative balance account must first be used to satisfy the negative balance. Balance reports for students with negative account balances will be reviewed weekly and sent home to parents/guardians. Parents/guardians 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 engaging the school social worker or 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 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.

## Recordkeeping

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

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:

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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,  
2.1-207.3. 22.1- 207.3, 22.1-207.4, 63.2-1509.

8 VAC 20-290-10.

8 VAC 20-740-10.

8 VAC 20-740-30.

8 VAC 20-740-35.

8 VAC 20-740-40

Cross Refs: GAE Child Abuse and Neglect Reporting  
JHCF Student Wellness  
KH Public Gifts to the Schools

File: GBI

### STAFF GIFTS AND SOLICITATIONS

Exchange of gifts between students and/or parents and staff is discouraged.

No school division employee solicits money, property, goods or services for personal use or use by staff or students during school hours on school property without written authorization from the superintendent or superintendent's designee.

Adopted: March 20, 2008

Reviewed: June 25, 2013

Revised: August 1, 2019

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

Cross Refs.: **GAH School Employee Conflict of Interest**

~~JHCH School Meals and Snacks~~

JL Fund Raising and Solicitation

KGA Sales and Solicitations in Schools

KMA Relations with Parent Organizations

KQ Commercial, Promotional and Corporate Sponsorships and  
Partnerships

© 2/19 VSBA

File: GBM

## PROFESSIONAL STAFF GRIEVANCES

The Charlottesville City School Board adopts the most recent version of Procedure for Adjusting Grievances promulgated by the Virginia Board of Education based on current statutory provisions.

Adopted: February 19, 1998

Revised: March 20, 2008

Reviewed: June 25, 2013

Revised: June 20, 2017

Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ ~~22.1-253.13:7.C.8~~, 22.1-253.13:7 and 22.1-306 et seq. 8 VAC 20-90-10 through 8 VAC 20-90-80 and accompanying forms.

File: GBMA

## SUPPORT STAFF GRIEVANCES

The Charlottesville City School Board adopts the following procedure in accordance with §22.1-79(6) of the Code of Virginia, as amended. Nothing in this procedure is intended to create, nor shall it be construed as creating a property right in employment, nor shall this procedure be interpreted to limit in any way whatsoever the School Board's exclusive final authority over the employment and supervision of its personnel.

The following words and terms are defined as indicated when used in this procedure, unless the context clearly indicates otherwise.

“Days” means calendar days unless a different meaning is clearly expressed in this procedure. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday, or legal holiday, the period of time for taking action under this procedure shall be extended to

the next day that is not a Saturday, Sunday, or legal holiday. “Working days” means those days that the Charlottesville City School Board Office is open for business.

“Dismissal” means the termination of employment of any covered employee, with or without cause, during the term of such employee’s employment.

“Employee” or “employees” means all full-time employees of the Charlottesville City School Board who have completed the required probationary period, except the division superintendent and those employees covered under the provisions of Articles 2 and 3 of Chapter 15 of Title 22.1 of the Code of Virginia, as amended. “Employee” does not mean a part-time or temporary employee.

“Grievance” means a complaint or dispute involving the dismissal or other disciplinary action of an employee. A dismissal, reassignment, or other action pursuant to a Reduction in Force (RIF) is not a disciplinary action and is not grievable. Employee evaluations are not disciplinary actions and are not grievable. “Grievance” does not mean a complaint or dispute regarding the suspension of an employee. The procedure for the suspension of employees is set forth in Policy GCPF-Suspension of Staff Members.

Procedure:

1. Written notice of the proposed **dismissal or other disciplinary** action, along with a statement of the reasons for the action, shall be given to the employee by the employee’s ~~building administrator/ department head~~ **building administrator or department head**. Upon receipt of the recommendation, the employee is required to meet with a human resources administrator. During this meeting, the employee receives a copy of this policy as notice of the employee’s grievance rights. The employee may file a written request for a hearing with the Superintendent within ten (10) working days of receiving the written notice. The failure to file such a request within the prescribed time will constitute a waiver of the right to a hearing and the ~~proposed~~ **dismissal or other disciplinary** actions will become final without a hearing or further notice.
2. Upon receiving a timely written request, the Superintendent shall select an ~~external hearing officer~~ **impartial hearing administrator** to hear the grievance. ~~The hearing officer will be selected from a list approved by the School Board.~~ The hearing ~~officer~~ **administrator** will hold a hearing within fifteen (15) working days of receipt of the employee’s request. Notice of the hearing shall be given orally or in writing to the employee at least five (5) working days before the hearing. The employee and the school division will share the cost of the hearing ~~officer~~ **administrator** and the cost of recording the hearing equally.
3. The employee and the employee’s supervisor may be represented by legal

counsel or a lay advocate at the hearing, but not both. The division may also be represented by legal counsel at the hearing. The hearing will be private and the hearing ~~office~~ **administrator** will have full discretion over the conduct of the hearing. However, the employee and the division **representative** may make opening statements, may present all material and relevant evidence, including the testimony of witnesses, and may cross examine witnesses. Witnesses may be questioned by the hearing ~~office~~ **administrator**.

4. The hearing ~~office~~ **administrator** shall give the employee **and the division representative** a written decision within ten (10) working days after the completion of the hearing. The decision shall be based on the evidence relevant to the issues produced at the hearing in the presence of each party.
5. ~~The employee may appeal the decision~~ **The decision may be appealed** to the School Board by providing written notice of appeal to the Superintendent within five (5) working days of receiving the decision of the hearing ~~office~~ **administrator**. Upon timely appeal, the school Board shall decide the appeal on the written record and render its decision within thirty (30) days of the appeal.

Adopted: March 20, 2008

Revised: June 18, 2009

Revised: June 25, 2013

Revised: June 27, 2016

Revised: August 6, 2020

Revised:

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Legal Reference: Code of Virginia, 1950, as amended, § 22.1-79(6), 22.1-311, 22.1-313

Cross Reference: GDG Support Staff ~~Probation~~ **Probationary Period**  
GCPF Suspension of Staff Members



File: IC/ID

## SCHOOL YEAR/SCHOOL DAY

### School Year

In accordance with the Code of Virginia, the Charlottesville City Schools shall be operated with students in attendance a minimum 180 teaching days or 990 hours (~~540 hours for kindergarten~~) per school year. **The School Board offers in-person instruction to each student enrolled in an elementary or secondary school in the division for at least 990 teaching hours except as otherwise permitted by Va. Code § 22.1-09.C.4 or Article 3 of Chapter 14 of Title 22.1 of the Code of Virginia.** Days on which schools are closed due to inclement weather or emergencies shall be made up **as provided below** if necessary to meet these requirements.

Students are provided a minimum of 680 hours of instructional time in elementary

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

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

### Make Up Days

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

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

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

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

The Board of Education may waive the requirement that the school division provide additional teaching days or teaching hours to compensate for school closings resulting from a declared state of emergency or severe weather conditions or other emergency situations under certain circumstances. If the School Board desires a waiver, it will submit a request to the Board of Education. The request will include evidence of efforts that have been made by the school division to reschedule as many days as possible and certification by the superintendent and chairman of the School Board that every reasonable effort for making up lost teaching days or teaching hours was exhausted before requesting a waiver. If the waiver is denied, the school division will make up the missed instructional time.

The Board of Education waives the requirement that school divisions provide

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

### School Calendar

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

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

### School Day

~~The length of the regular school day averages at least five and one-half instructional hours, for grades 1-12, exclusive of time for meals and recess.~~

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

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File: IC/ID

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

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

~~The time for opening and closing schools is established by the School Board upon recommendation of the superintendent, provided that the daily program for students in~~

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

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

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

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

#### Joint or Regional Schools

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

#### Certification

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

Adopted: July 16, 1998  
Revised: April 17, 2008  
Revised: June 17, 2010  
Revised: June 30, 2015  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised:

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

Acts 2019, c. cc.569, 570 and 637.

~~8-VAC-20-131-150.~~

~~8-VAC-20-131-200.~~

~~8-VAC-20-490-30.~~

Cross Ref.:      BCF    Advisory Committees to the School Board  
                     DL     ]Payroll Procedures  
                     GAA    Staff Time Schedules  
                     IKF    The Virginia Assessment Program and Graduation Requirements  
                     IKFD   Alternative Paths to Attaining Standard Units of Credit

File: IE

## MOMENT OF SILENCE

~~At each school, a minute of silence shall be observed daily. The principal shall designate the time for the minute of silence to occur each day. The teacher shall ensure that each student: (1) remains seated and silent and (2) does not disrupt or distract other students during the minute of silence. The minute may be used for any lawful silent activity, including personal reflection, prayer and meditation. Teachers shall not influence, in any way, students to pray or meditate or not to pray or meditate during the minute of silence.~~

**One minute of silence is observed in each classroom in the division every day.**

**During such period of silence, the teacher responsible for each classroom takes care that all pupils remain seated and silent and make no distracting display so that each pupil mya, in the exercise of individual choice, meditate, pray, or engage in any other silent activity which does not interfere with, distract, or impede other pupils in the like exercise of individual choice.**

Adopted: July 16, 1998

Revised: September 20, 2000

Revised: March 18, 2004

Revised: April 17, 2008

Revised: June 25, 2013

Reviewed: June 20, 2017

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Legal References: Code of Virginia, § 22.1-203

File: IEC

## BILL OF RIGHTS OF THE CONSTITUTION OF THE UNITED STATES

The Bill of Rights of the Constitution of the United States ~~shall be~~ is posted in a conspicuous place in each school for all students to read.

Adopted: March 18, 2004

Reviewed: April 17, 2008

Reviewed: June 25, 2013

Reviewed: June 20, 2017

Revised:

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Legal Reference: Acts 2003, c. 902.

File: IF

## CURRICULUM DEVELOPMENT AND ADOPTION

The curriculum is a coherent and comprehensive plan for teaching and learning built upon a framework that promotes continuity and the cumulative acquisition and application of skills. The curriculum ~~shall state~~ states clearly and specifically what students are expected to know and be able to do by grade level and course. Charlottesville City School Board curricula ~~shall meet or exceed~~ meets or exceeds the requirements of the Code of Virginia and regulations of the Virginia Board of Education and, at a minimum, shall be aligned to and are aligned with the Standards of Learning.

Adopted: July 16, 1998

Revised: April 17, 2008

Revised: June 19, 2008

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

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Legal References: Code of Virginia, 1950, as amended, sections 22.1-78, 22.1- 253.13:1

Cross References: AF Comprehensive Plan

File: IGAE/IGAF

## HEALTH EDUCATION/PHYSICAL EDUCATION

Students receive health instruction and physical training as prescribed by the Board of Education and approved by the Board of Health.

Such health instruction

- incorporates standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being and human dignity, and
- may include an age-appropriate program of instruction on the safe use of and risks of



abuse of prescription drugs that is consistent with curriculum guidelines developed by the Board of Education and approved by the Board of Health.

The Charlottesville City school division provides a program of physical activity available to all students in grades kindergarten through five consisting of at least 20 minutes per day or an average of 100 minutes per week during the regular school year and available to all students in grades six through 12 with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular athletics, recess or other programs and physical activities. **Any physical education class offered to students in grades seven and eight includes at least one hour of personal safety training per school year in each such grade level that is developed and delivered in partnership with the local law-enforcement agency and consists of situational safety awareness training and social media education.**

Adopted: July 16, 1998

Revised: April 17, 2008

Revised: June 19, 2008

Revised: June 17, 2010

Revised: June 30, 2015

Reviewed: June 20, 2017

Revised: June 19, 2018

Revised: August 1, 2019

Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-207, 22.1-253.13:1.

Cross Refs.: IC/ID School Year/School Day  
IGAG Teaching About Drugs, Alcohol, and Tobacco  
JHCA Physical Examinations of Students  
JHCF Student Wellness  
JO Student Records

File: IGAG

## TEACHING ABOUT DRUGS, ALCOHOL AND TOBACCO

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

Charlottesville City Schools provides instruction concerning

- drugs and drug abuse,
- the public safety hazards and dangers of alcohol abuse, underage drinking, underage marijuana use, and drunk driving, and

- the health and safety risks of using tobacco products, nicotine vapor products, and alternative nicotine products, **and Gambling and the addictive potential thereof.**

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

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

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

File: IGAH

## FAMILY LIFE EDUCATION

### Generally

The Charlottesville City School Board provides Family Life Education (FLE) based on the FLE Standards of Learning (SOL) and curriculum guidelines developed by the Board of Education. The SOL objectives related to dating violence and the characteristics of abusive relationships are taught at least once in middle school and at least twice in high school. The high school FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the prevention of dating violence, domestic abuse, sexual harassment, including sexual harassment using electronic means, and sexual violence, human trafficking, and the law and meaning of consent. Such age-appropriate elements of effective and

evidence-based programs on the prevention of sexual violence may include instruction that increases student awareness of the fact that consent is required before sexual activity. The FLE curriculum offered in any school incorporates age-appropriate elements of effective and evidence-based programs on the importance of the personal privacy and personal boundaries of other individuals and tools for a student to use to ensure that he respects the personal privacy and personal boundaries of other individuals. The FLE curriculum incorporates age-appropriate elements of effective and evidence-based programs on the harmful physical and emotional effects of female genital mutilation; associated criminal penalties; and the rights of the victim, including any civil action pursuant to Va. Code § 8.01-42.5.

The FLE curriculum may incorporate age-appropriate elements of effective and evidence-based programs on the prevention, recognition, and awareness of child abduction, child abuse, child sexual exploitation and child sexual abuse, **and in any such curriculum offered in high school, human trafficking of children.**

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

#### Right of Parental Review

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

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

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

Adopted: July 16, 1998  
Revised: March 18, 2004  
Revised: April 17, 2008  
Revised: June 18, 2009  
Revised: June 16, 2011

Revised: June 30, 2015  
Revised: June 27, 2016  
Revised: June 20, 2017  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Reviewed: June 17, 2021  
Revised:

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

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

File: IGAJ

## DRIVER EDUCATION

The Charlottesville City School Board offers a program of driver education in the high school in the safe operation of motor vehicles. The program includes instruction concerning alcohol and drug abuse, aggressive driving, motorcycle awareness, dangers of distracted driving and speeding, organ and tissue donor awareness, and fuel-efficient driving practices **and traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops.**

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

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

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

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

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

Adopted: July 16, 1998  
Amended: October 21, 1999  
Amended: March 18, 2004  
Amended: August 16, 2007  
Reviewed: April 17, 2008  
Revised: June 18, 2009  
Revised: June 17, 2010  
Revised: June 30, 2015  
Revised: June 17, 2021  
Revised:

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Legal References: Code of Virginia, 1950, as amended, §§ 2.1-205, 46.3-334, 46.2-340  
8 VAC 20-340-10  
8 VAC 20-720-80

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

File: IGBA

## PROGRAMS FOR STUDENTS WITH DISABILITIES

The Charlottesville City School Board provides a free, appropriate education for all children and youth from ages 2 to 21 who are identified as students with disabilities inclusive who are residents of Charlottesville or who are not residents of Charlottesville but are residents of Virginia and who are enrolled in a full-time virtual school program provided by the Board. To the maximum extent appropriate, students with disabilities are educated with children who are not disabled.

An Individualized Education Program (IEP) is developed and ~~maintained~~ **implemented** for each child eligible for special education under the Individuals with Disabilities Education Act. The program is developed in a meeting with the child's teachers, parent(s)/guardians(s), the student (when appropriate), a school division representative qualified to provide or supervise the provision of special education services, an individual who can interpret the instructional implications of evaluation results and other individuals at the discretion of the parents/guardians or school division in accordance with state and federal law. This IEP is reviewed at least annually. The IEP includes areas specified by state and federal statutes and regulations.

**Parents of students with disabilities are provided guidance from the Virginia Department of Education regarding the Applied Studies Diploma and its limitations at a student's annual IEP program meeting corresponding to grades three through 12 when curriculum or statewide assessment decisions are being made that impact the type of diploma for which the student can qualify.**

#### Explanation of Procedural Safeguards

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

#### Child Find

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

The School Board provides all applicable procedural safeguards including written notice to the parents of any scheduled screening. If the child fails the screening, the results of the screening, are maintained in the student's scholastic record.

Adopted: March 18, 2004

Revised: April 17, 2008

Revised: June 16, 2011

Revised: June 26, 2014

Revised: August 1, 2019

Revised:

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Legal References: 20 U.S.C. § 1400 et seq.

29 U.S.C. § 701 et seq.

42 U.S.C. § 12101 et seq.

Code of Virginia, 1950, as amended, sections 22.1-213, ~~22.1-215~~, **22.1-214, 22.1-215, 22.1-253.13:4**



**8VAC 20-81-30**

8 VAC 20-81-50.

8 VAC 20-81-80.

8 VAC 20-81-100.

8 VAC 20-81-110.

8 VAC 20-81-130.

8 VAC 20-81-170.

**Cross Refs.: IAA Notification of Learning Objectives**

**IKF The Virginia Assessment Program and Graduation Requirements**

File: IGBB

**PROGRAMS FOR GIFTED STUDENTS**

The Charlottesville City School Board ~~shall approve~~ **approves** a comprehensive plan for the education of gifted students that includes the components identified in Board of Education regulations. **The development process for the plan includes opportunities for public review of the school plan.** The plan for the education of gifted students ~~shall be~~ **is** accessible through the division's website and ~~the division will ensure that~~ printed copies of the plan are available to citizens who do not have online access.

The school division has uniform procedures for screening, referring, identifying, and serving students in kindergarten through twelfth grade who are gifted in general intellectual or specific academic aptitude as well as in visual or performing arts aptitude.

The school division ~~will provide~~ **provides** written notification to and seeks written consent from parents and legal guardians to conduct any required assessment to determine a referred student's eligibility for the division's gifted education programs, and to provide services for an identified gifted student in the division's gifted education programs. The School Board has established a local advisory committee composed of parents, school personnel, and other community members appointed by the School Board. The committee will reflect the ethnic and geographical composition of the school division. The committee will annually review the division's plan for the education of gifted students, including revisions, and determine the extent to which the plan for the previous year was implemented. The findings of the annual program effectiveness and the recommendations of the committee will be submitted annually in writing to the division superintendent and the School Board.

Adopted: July 16, 1998

Revised: October 21, 1999

Revised: March 18, 2004

Reviewed: April 17, 2008

Revised: June 16, 2011

Revised: July 5, 2012

Reviewed: June 20, 2017

Revised:

Legal References: Code of Virginia, 1950, as amended, sections 22.1-16, 22.1-253.13-1.D.6 and 22.1-18.1.

8 VAC 20-40-40

8 VAC 20-40-55

8 VAC 20-40-60

Cross Reference:     BCF Advisory Committees to the School Board  
                          IKEB Acceleration

File: IGDA

#### Student Organization (Secondary Schools)

Generally Public school facilities are devoted primarily to instructional programs and school-sponsored activities. Curriculum-related student organizations are an extension of the regular school program. Their function is to enhance the participants' educational experience and supplement course materials. The activities of these organizations shall bear a clear relationship to the regular curriculum.

Secondary school students may organize and conduct meetings of non-curriculum related groups. Any secondary school which permits one or more non-curriculum-related student group to meet on school premises during non-instructional time ~~will provide~~ **provides** equal access to any students who wish to conduct a meeting without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meetings.

Non-curriculum-related student groups may use school facilities provided that

- the group's meetings are voluntary and student-initiated;
- the group is not sponsored by the school, the government, or any government

Agent or employee;

● agents or employees of the school or government are present at religious meetings only in a non-participatory capacity;

● meetings do not materially and substantially interfere with the orderly conduct of educational activities at the school; and

● non-school persons do not direct, conduct, control, or regularly attend activities of the group.

### Meetings of Student Organizations

The principal of each school ~~will determine~~ determines the times and places which are available for the meetings of student organizations. The principal ~~will also develop~~ also develops procedures for scheduling meetings of student organizations. Meeting times ~~will be~~ are limited to non-instructional time.

All non-curriculum student organizations shall have the right to meet on school premises during time designated by the school principal. No student organization shall be denied equal access to school facilities during designated meeting times on the basis of the religious, political, philosophical or other content of the speech at the meetings of such organization. No public funding or support shall be extended to any non-curriculum-related student organization other than the opportunity to meet on school premises on an equal basis as other student organizations.

### Faculty Involvement

Curriculum-related student organizations must be sponsored and supervised by one or more school faculty members and approved by the principal. Faculty sponsors ~~will~~ participate in the supervision and direction of all activities of the organization and ~~will~~ attend all meetings and activities.

Non-curriculum-related student organizations do not have a faculty sponsor. However, a member of the school's staff ~~shall attend~~ attends every meeting or activity of such organizations in a non-participatory capacity for purposes of general supervision. The organization is responsible for assuring the presence of a staff member for its meetings.

No school employee ~~will be~~ is compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee.

### Compliance with Law and Policy

Student organizations shall not engage in any activity which is contrary to law, division policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the

school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions ~~shall be~~ **is** grounds for disciplinary action.

Adopted: July 16, 1998

Revised: July 5, 2012

Reviewed: June 20, 2017

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Legal References: 20 USC§ 4071

**Code of Virginia, 1950, as amended, §22.1-23.3**

Cross References:   KF Distribution of Information/Materials  
                          KG Community Use of School Facilities

File: IJD

## COLLEGE AND CAREER READINESS

Each middle and secondary school provides for the early identification and enrollment of students in a program with a range of educational and academic experiences related to college and career readiness in and outside the classroom, including an emphasis on experiences that will motivate disadvantaged and minority students to prepare for a career or postsecondary education.

Each elementary, middle, and secondary school provides for the identification by all students of personal interests and abilities to support planning for postsecondary opportunities and career preparation. Such support includes provision of information concerning exploration of career cluster areas in elementary schools, and course information and planning for college preparation programs, opportunities for educational and academic

experiences in and outside the classroom, including internships and work-based learning, and the multiple pathways to college and career readiness in middle and high school.

Beginning in the elementary school years, students explore the different occupations associated with career clusters and select an area or areas of interest. Students begin the development of an academic and career plan portfolio (ACPP) in elementary grades to include information about interests, values such as dependability and responsibility, and skills supporting decisions about their future interests and goals. The information contained in the ACPP serves as the foundation for creating the Academic and Career Plan (ACP) in grade 7.

In middle school, students complete a locally selected career interest inventory and select a career pathway. To support development of the ACP, students complete at least one course in career investigation selected from the career and technical education state-approved list, or a school division-provided alternative means of delivering the career investigation course content, provided that the alternative is equivalent in content and academic rigor.

The School Board may require such courses in career investigation at the high school level as it deems appropriate, subject to approval by the Board of Education. The School Board may require such courses in career investigation at the elementary school level as it deems appropriate.

All schools continue development of a personal ACP with each seventh-grade student with completion by the end of the fall semester of the student's eighth-grade year. The components of the ACP include the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests. In high school, a career-related learning experience is chosen by the student and documented in the ACP.

The ACP is developed in accordance with guidelines established by the Board of Education and signed by the student, student's parent or guardian, and school official or officials designated by the principal. The ACP is included in the student's record and is reviewed and updated annually. Lists, as compiled annually by the Department of Education and provided to the School Board, of 1) the top 100 professions in Virginia by median pay and the education, training and skills required for each such profession and 2) the top 10 degree programs at institutions of higher education in Virginia by median pay of program graduates are included as part of each student's ACP.

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 as described in Policy LEB Advanced/Alternative Courses for Credit. 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 pursuant to 8 VAC 20-131-100. 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:

- a. Written approval of the high school principal prior to participation in dual enrollment must be obtained;
- b. The college must accept the student for admission to the course or courses; and
- c. The course or courses must be given by the college for degree credits (no remedial courses will be accepted).

**Information that assists high school students in making informed decisions about their futures after graduating from high school and ensures that such students are aware of the costs and benefits of different educational and certificate programs as collected and compiled by the Virginia Department of Education in consultation with the State Council of Higher Education for Virginia, is readily available to each high school student. The information is distributed to each high school student who expresses an interest in attending an institution of higher education or completing a training program.**

Adopted: June 19, 2018  
Revised: August 6, 2020  
Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ **22.1-206.1**,

22.1-253.13:1, 22.1-253.13:3. 8 VAC 20-131-140.

~~Guidelines for Academic and Career Plans (Adopted by the Virginia Board of Education Sept 17, 2009).~~

Cross Ref.: IGAD Career and Technical Education  
IJ Guidance and Counseling Program  
JO Student Records  
LEB Advanced/Alternative Courses for Credit

File: JED

## STUDENT ABSENCES/EXCUSES/DISMISSALS

### I. Student Attendance Policy

#### A. Purpose

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

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

## B. Definitions

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

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

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

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

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

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

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

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

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

**Unexcused Absence:** an absence of an entire assigned instructional school day with no indication received by the school that the student's family is aware and supports the absence



or the family provides a reason for the absence that is unacceptable to the school administration. The school administration may change an unexcused absence to an excused absence when it determines the family provided an acceptable reason meeting the criteria for the student's absence or there are extenuating circumstances.

### C. Attendance Standards

#### 1. Expectations:

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

#### 2. Family Support and Engagement:

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

### D. Excused Absences and Tardies

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

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

- Illness (if over two days, the school may require a note from a licensed healthcare provider)
- Medical and dental appointments
- Court appearance
- Death in the family
- Religious holiday or instruction
- Extenuating circumstances, which may include absence(s) for non-school division related activities, as determined by the school administration; and
- An absence from school resulting from a suspension or expulsion
- For middle and high school students, one school day per school year to engage in a civic event
- **Subject to guidelines established by the Virginia Department of Education, students who are members of a state-or federally-recognized tribal nation that is headquartered in Virginia shall be granted one excused absence per academic year to attend such**

**nation's pow wow gathering provided that the student's parent provides the student's school advance notice of the absence in the manner required by the school**

E. Chronic Absenteeism

- When a student misses 10% or more of the school year at any given point in time and includes excused absences, unexcused absences and out of school suspensions.
  - Potential Negative Academic Outcomes:
    1. Poorer student performance due to absenteeism begins as early as kindergarten and extends across grades, creating a cumulative effect
    2. Greater risk for dropping out than peers with regular attendance
  - Potential problems with behavior and social emotional aspects of school
    1. Students may act out due to frustration
    2. Students who are frequently absent from school experience fewer opportunities to build positive relationships with adults
    3. Students may not develop behavioral and social emotional skills necessary for success in school and life
- Students may have difficulty establishing and maintaining positive peer relationships

F. Compliance and Intervention

Unexcused Absences Intervention Process and Responsibility

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

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

- Whenever a student fails to report to school on a regularly scheduled school day and no information is received by school personnel that the student's family is aware of and supports the absence, or the parent provides a reason for the absence that is unacceptable to the school administration, the school principal, principal's designee, attendance officer or other school personnel or volunteer notices the parent by phone email or other electronic means to obtain an explanation. School staff records the student's absence for each day as "excused" or "unexcused". Early intervention with the student and parent or parents takes place for repeated unexcused absences and an automated call will

be generated to the family/guardian.

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

sign, and file with the intake officer of the juvenile and domestic relations district court, on forms approved by the Supreme Court of Virginia, a petition for a violation of a school attendance order entered by the juvenile and domestic relations district court pursuant to Va. Code § 16.1-278.5 in response to the filing of a petition alleging the pupil is a child in need of supervision as defined in Va. Code § 16.1-228.

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

File: JED  
Page 6

#### G. Fifteen Consecutive Absences

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

be subject to intervention for violation of such laws. When student have been withdrawn from school due to accrual of 15 or more consecutive days, the schools support staff must make every effort to ensure that the following interventions have occurred:

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

#### H. Release **Dismissal** of Students

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

#### I. **Report for Suspension of Driver's License**

**In addition to any other actions taken pursuant to this policy, if a student who is under 18 years of age has 10 or more unexcused absences form school on consecutive school days, the principal may notify the juvenile and domestic relations court, which may take action to suspend the student's driver's license.**

#### J. **Attendance Reporting**

**Student attendance is monitored and reported as required by state law and regulations. At the end of each school year, each public shool principal reports to the superintendent the number of pupils by grade level for whom a conference was scheduled pursuant to above requirements. The superintendent compiles this information and provides it annually to the Superintendent of Public Instruction.**

Adopted: June 19, 2008  
Revised: June 18, 2009  
Revised: June 19, 2010  
Revised: June 25, 2013  
Revised: June 20, 2017  
Revised: June 19, 2018  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised:

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

~~8 VAC 20-230-20.~~

8 VAC 20-730-10.

8 VAC 20-730-20.

Cross References.: IGAJ Driver Education

**JFC Student Conduct**

File: JFB

**STUDENT INVOLVEMENT IN DECISION-MAKING**

The School Board recognizes the student body as a significant part of the community and in the decision-making process.

Student input is important in the data collection process and on relevant issues, student views ~~will be~~ **are** sought and considered by the administration and the School Board. Students are encouraged to attend School Board meetings.

Adopted: July 16, 1998

Reviewed: June 19, 2008  
Revised: June 25, 2013  
Reviewed: June 20, 2017  
Revised:

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

Cross References:     AE School Division Goals and Objectives  
                              BBBB Student Liaison to the School Board

File: JFCB

### SPORTSMANSHIP, ETHICS, AND INTEGRITY

The School Board recognizes the value of extracurricular activities in the educational process and the values that students develop when they have the opportunity to participate in an organized activity outside of the traditional classroom.

Participants and responsible adults involved in School Board-approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom and under the Code of Student Conduct. The integrity in all phases of the educational process and in all segments of the community, including

administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

Adopted: July 16, 1998

Reviewed: June 19, 2008

Revised: June 25, 2013

Reviewed: June 20, 2017

Revised:

Legal Reference: Code of Virginia, 1950 as amended, § 22.1-208

Cross References: JFC Student Conduct  
~~JFC-R Standards of Student Conduct~~  
JFCC Student Conduct on School Buses  
KQ Commercial, Promotional and Corporate Sponsorships and Partnerships

File: JHCB

## STUDENT IMMUNIZATIONS

No student ~~shall be~~ **is** admitted by a school unless at the time of admission the student or ~~his~~ **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 ~~his~~ **the student's** parent

(i) that it has no documentary proof of immunization for the student;



(ii) 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;

(iii) that the student may be immunized and receive certification by a licensed physician, physician assistant, nurse practitioner, registered nurse or an employee of a local health department; and

(iv) 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 §§ 22.1-274.1 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 ~~he~~ **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 does within 90 days. **If the student requires more than two does of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days.**

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

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

### Exemptions

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

(i) the student or ~~his~~ **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

(ii) the school has written certification from a licensed physician, physician assistant, **licensed** nurse practitioner, 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 immunizations,

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 ~~will be~~ 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 ~~will be~~ 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 ~~will file~~ files a report with the local health department. The report ~~will be~~ is filed on forms prepared by the State Department of Health and ~~will state~~ 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:

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Legal References: Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-271.2, 22.1-271.4, 32.1-46, 54.1-2957.02

Cross References: JEC School Admission  
JECA Admission of Homeless Students

File: JHCE

#### RECOMMENDATION OF MEDICATION BY SCHOOL PERSONNEL

School personnel are prohibited from recommending the use of psychotropic medications for any student. School health staff, classroom teachers, or other school professionals may recommend that a student be evaluated by an appropriate medical practitioner. In addition, school personnel may consult with a medical practitioner **with the written consent of the student's parent.** ~~who is serving the student with the written consent of the student's parent.~~

For the purpose of this policy, "psychotropic medications" means those medications that are prescribed with the intention of altering mental activity or state, including, but not limited to antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication.

Adopted: June 19, 2008  
Reviewed: June 25, 2013  
Reviewed: June 20, 2017  
Revised:

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Legal References: Code of Virginia, 1950, as amended, § 22.1-274.3 Superintendent's  
~~Memorandum No. 54 (August 16, 2002)~~

Cross Reference: JHCD Administering Medicine to Students

**File: JJAF**

### **STUDENT-ATHLETE SUDDEN CARDIAC ARREST**

**In order to participate in any extracurricular physical activity, each student-athlete and the student-athlete's parent or guardian must review, on an annual basis, information provided by the school division on symptoms that may lead to sudden cardiac arrest. After reviewing the materials, each student-athlete and the student-athlete's parent or guardian must sign a statement acknowledging receipt of such information, in a manner approved by the Virginia Board of Education.**

**A student-athlete who is experiencing symptoms that may lead to sudden cardiac arrest must be immediately removed from play. A student-athlete who is removed from**

play shall not return to play until he is evaluated by and receives written clearance to return to physical activity by an appropriate licensed health care provider as determined by the Virginias Board of Education. The licensed health car3e provider evaluating student-athletes may be a volunteer.

The superintendent is responsible for developing, biennially reviewing, and updating procedures to implement this policy.

Adopted:

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Legal References: Code of Virginia, 1950, as amended, §22.1-271.8

File: JM

## RESTRAINT AND SECLUSION OF STUDENTS

The School Board encourages the use of positive behavioral interventions and supports to reduce and prevent the need for the use of physical restraint and seclusion.

School personnel may implement physical restraint or seclusion only when other interventions are, or would be, in the reasonable judgment of the school personnel implementing physical restraint or seclusion in an emergency situation, ineffective and only to:

1. Prevent a student from inflicting serious physical harm or injury to self or others;
2. Quell a disturbance;
3. Remove a student from the scene of a disturbance in which the student's behavior or damage to property threatens serious physical harm or injury to persons;
4. Defend self or others from serious physical harm or injury; or
5. Obtain possession of controlled substances or paraphernalia or weapons or other dangerous objects that are upon the person of the student or within the student's control.

Physical restraint and seclusion shall be discontinued as soon as the imminent risk of serious physical harm or injury to self or others presented by the emergency situation has dissipated.

Nothing in this policy shall be construed to require school personnel to attempt to implement a less restrictive intervention before using physical restraint or seclusion where, in the reasonable judgment of the school personnel in an emergency situation, a less restrictive intervention would be ineffective.

The superintendent is responsible for developing procedures to address the requirements of the Virginia Board of Education Regulations regarding physical restraint and seclusion in public schools.

The School Board will review this policy at least annually and update it as needed.

Adopted: June 26, 2014  
Revised: January 7, 2021  
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ **22.1-16**, 22.1-78, 22.1-279.1, 22.1-279.1:1.

8 VAC 20-750-40.

8 VAC 20-750-50.

8 VAC 20-750-70.

Cross Refs.:	BF	Board Policy Manual
	CH	Policy Implementation
	EB	School Crisis, Emergency Management, and Medical Emergency Response Plan
	IGBA	Programs for Students with Disabilities
	JFC	Student Conduct
	JGA	Corporal Punishment
	JGDA	Disciplining Students with Disabilities
	JGDB	Discipline of Students with Disabilities for Infliction of Serious Bodily Injury
	KNAJ	Relations with Law Enforcement Authorities

File: JRCA

## SCHOOL SERVICE PROVIDERS' USE OF STUDENT PERSONAL INFORMATION

### Definitions

For the purposes of this policy:

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

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

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

"School-affiliated entity" means any private entity that provides support to the school division or a public elementary or secondary school.

"School-affiliated entity" includes alumni associations, booster clubs, parent-teacher associations, parent-teacher-student associations, parent-teacher organizations, public education foundations, public education funds and scholarship organizations.

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

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

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

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

#### Required Contract Terms

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



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

The contract will also prohibit the school service provider from knowingly

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

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

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

Nothing in this policy shall be construed to:

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

Adopted: June 27, 2016

Revised: June 20, 2017

Revised:

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

Cross Refs.: ET Educational Technology Foundation and Public School Foundations  
JO Student Records KMA Relations with Parent Organizations  
**KMA Relations with parent Organizations**

File: KBA

## REQUESTS FOR PUBLIC RECORDS

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

~~Officers, employees, and members of the School Board who willfully and knowingly fail~~

~~to provide public records as required by FOIA are subject to a civil penalty of not less than \$500 nor more than \$2,000 for an initial violation, which amount shall be paid into the Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than \$2,000 nor more than \$5,000.~~

~~Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to \$100 per record altered or destroyed.~~

The name(s) and contact information for the person(s) Charlottesville City School Board has designated as its Freedom of Information Act (FOIA) Officer(s) is listed in regulation KBA R Requests for Public Records and posted at the School Board office and on the division's website. The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA officer(s) receive(s) training at least once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session by the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

Adopted: December 15, 2005

Revised: February 21, 2008

Reviewed: June 25, 2013

Revised: June 27, 2016

Revised: June 20, 2017

Revised: August 1, 2019

Revised: August 6, 2020

Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2, 2.2-3714.

Cross Ref.: KBA-R Requests for Public Records

### **KBA-E Rights and Responsibilities**

File: KBA-E

### 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

- ~~A citizen of the Commonwealth has~~ **Citizens of the Commonwealth and representatives of the media have** the right to request to inspect or receive copies of public records, or both.
- ~~A citizen of the Commonwealth has~~ **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

- ~~A citizen of the Commonwealth may request records by~~ **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 Schools, nor does it require CHARLOTTESVILLE CITY Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by CHARLOTTESVILLE CITY Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor you 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 Schools, direct your request to Charlottesville City 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 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) 225-3056 **698-1810** or 1-866-448-4100.

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

Charlottesville City 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 records from CHARLOTTESVILLE CIT 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 Schools to require a requestor to provide their name and legal address.

FOIA requires that CHARLOTTESVILLE CITY 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.
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 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 A1 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 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 Schools ~~will~~ **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 Schools will not exceed the actual cost of duplication. ~~All charges for the supplying of requested records shall be estimated in advance at the request of the requestor as set forth in subsection Va. Code § 2.2-3704.F.~~ **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 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 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.

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

### Types of Records

The following is a general description of the types of records held by CHARLOTTESVILLE CITY Schools:

- Personnel records concerning employees and officials of CHARLOTTESVILLE CITY 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 Schools website at <http://esbpublic.ccs.k12.va.us/>)
- Records of contracts to which CHARLOTTESVILLE CITY 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 Schools.

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

The general policy of CHARLOTTESVILLE CITY 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

Revised:

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

File: KBA-R

### REQUESTS FOR PUBLIC RECORDS

Charlottesville City Schools is committed to full compliance with Virginia's Freedom of Information Act, and shall process all requests for information in accordance with the following procedures.

**Beth Cheuk is the Charlottesville City School Board's FOIA Officer. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the school board's compliance with FOIA. The FOIA Officer may be**

**reached at 434-245-2400.**

#### Access to Records

1. When practicable, the following records shall be available at the central office: ex. most recent school board meeting minutes, school board agenda, assessment information, student data, human resources data, etc.
2. Unless otherwise specified by the Superintendent, inspection of records shall take place at the central office of Charlottesville City School Board during its regular office hours and records are not removed from that site. Copies may be requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database shall be produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by Charlottesville City Schools, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
3. Requesters must provide their legal name and address and verification that the requester is a citizen of the Commonwealth, a representative of a newspaper or magazine with circulation in the Commonwealth, or a representative of a radio or television station broadcasting in or into the Commonwealth.
4. The Superintendent or a designee shall be present during inspection or copying of records. A record of each inspection shall be made, using form KBA-F2.

#### Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to Charlottesville City Schools central office at: 1562 Dairy Road, Charlottesville, Va. 22903, (434-245-2400), fax (434-245-2403). Requests should be submitted to Beth Cheuk who will complete the request or identify a designee to collect the information and respond.
3. Requesters should make their requests using Form KBA-F1 or in a format that includes the same information as KBA-F1. Requests received at the central office via telephone shall be transcribed onto Form KBA-F1 by central office staff or a form may be sent (by mail, fax or electronically) to the requester so the form can be completed or a request can be prepared that includes the information on the form.
4. Written requests other than on Form KBA-F1 shall be compared to the KBA-F1 form to see if all required information is included. If items are missing, the central office person assigned to review the form will contact the requester for additional information.
5. Building office personnel shall provide Form KBA-F1 and a copy of this regulation upon request to any person interested in obtaining access to records, and shall instruct the requester to direct the request to the central office. Telephone inquiries shall be redirected to the central office. Any written requests received by building personnel shall be immediately forwarded to the central office (Assistant Superintendent for Finance and Operations), with a notation indicating the date and time the request was received.

## Responding to Requests

1. **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 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 requester the opportunity to modify the request in an attempt to lower the estimated costs. Any costs incurred 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.**

2. Promptly, but in all cases within five working days of receiving the request, the school division will provide the requested records to the requester, or make one of the following responses in writing:

- (a) The requested records are being entirely withheld because their release is prohibited by law or because the Virginia Freedom of Information Act gives their custodian discretion to withhold them. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code section that authorizes the withholding of the records.
- (b) The requested records are being provided in part and are being withheld in part because the release of part of the records is prohibited by law or the custodian has exercised his discretion to withhold a portion of the records. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) which authorize the withholding of the records. When a portion of a requested record is withheld, the school division will delete or excise only that portion of the record to which an exemption applies and will release the remainder of the record.
- (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response will include contact information for the other public body.
- (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such a response will specify the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses shall be provided within seven additional working days

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before

proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

3. The five-day period shall begin on the first working day following the day the request is received by the central office or by a building office. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice shall not be counted in calculating the five work days.

### Processing of Requests

1. The Superintendent or a designee shall, after receiving a request, promptly make an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.
2. If the Superintendent or designee is unsure whether the requested documents should be provided to the requester, legal advice shall be promptly sought.
3. If the Superintendent or designee is uncertain whether the requested records exist or where they may be located, efforts shall be promptly initiated to locate the records or determine whether they exist.
4. If the requested records will be made available either in whole or in part, the Superintendent or a designee shall promptly consult with central office staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this shall also be taken into account. The following costs shall be charged at the rates indicated, not to exceed actual cost:
  - Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates of \$4.00 to \$15.00 per quarter hour may apply.
  - Computer search time, charged at the rate of \$12 per quarter hour
  - Computer printouts, charged at the rate of 10 cents per page
    - Photocopies (including those necessary to perform redactions), charged at the rate of 10 cents per page.
    - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$ 200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, the school board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the 50% of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall

be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.

6. Before processing a request for records, the Superintendent or designee may require the requester to pay any amounts owed to the school board for previous requests for records that remain unpaid 30 days or more after billing.
7. Any records to be disclosed shall be assembled for inspection and copying by central office staff, under the direction and supervision of the Superintendent or a designee.
8. Central office staff shall be responsible for recording the date the request was received, verifying photo identification and signature, and recording and assembling additional information about the request as indicated on Form KBA- F1.

Issued: January 23, 2009  
Reissued: August 17, 2009  
Reissued: January 10, 2011  
Reviewed: July 13, 2017  
Revised: August 1, 2019  
Reviewed: August 6, 2020  
Revised:

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2, 2.2-3704-.01, 2.2-3704.1, 2.2-3714.

Cross Ref.: KBA-R Requests for Public Records

File KGA

## SALES AND SOLICITATIONS IN SCHOOLS

No one may sell or offer for sale, within the schools, on school grounds, or at school sponsored activities, any product or service except when the sale will benefit the educational program of the schools, except with the approval of the Superintendent or designee.

Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours. Individual discussions between school division employees, regarding contributions or dues for charitable or school organizations, during school hours are not prohibited.

Adopted: August 6, 1998  
Revised: January 8, 2004  
Reviewed: February 21, 2008  
Revised: June 19, 2008  
Revised: September 18, 2008  
Reviewed: June 25, 2013  
Revised: August 1, 2019

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

Cross Refs.: DJG Vendor Relations

**GAB/IIBEA Acceptable Computer System Use**

GAH School Employee Conflict of Interests

GCQAB Tutoring for Pay

~~JHCH School Meals and Snacks~~

JL Fund Raising and Solicitation

KG Community Use of School Facilities

KJ Advertising in the Schools

KK Visitors to the Schools

File: KNAJ

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

Law-enforcement may be invited into the school with permission of the principal and/or the superintendent and to execute warrants as permitted by law. Students are presumed innocent under the law and in the school. Law enforcement officers are not to interview at school without the presence of a parent or guardian or attorney that specifically represents that student.

#### Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the School Board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

#### Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender and Crimes Against Minors Registry Information.

#### Report to Law Enforcement Officials

~~The Superintendent or his designee shall be notified as soon as possible of any report to law enforcement authorities. The superintendent, principal or their designees shall promptly report to local law-enforcement officials all incidents occurring on school property involving:~~

- ~~1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property or at a school-sponsored activity; or~~
- ~~2. any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft of or attempted theft of student prescription medications; or~~
- ~~3. any threats against school personnel while on a school bus, on school property or at school-sponsored activity; or~~
- ~~4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto~~



school property;

- ~~5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1 or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity; or~~
- ~~6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.~~

~~The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property or at a school-sponsored activity.~~

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to the local law-enforcement agency all incidents involving alcohol, marijuana, a controlled substance, an 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 that may constitute a felony offense.

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to the local law-enforcement agency all incidents involving:

- The sexual assault, death, shooting, stabbing, cutting, or wounding of any person abduction of any person as described in Va. Code §18.2-47 or §18.2-48, or stalking of any person as described in Vas. Code §28.3-60.3, on a school bus, on school property, or at a school-sponsored activity;
- Any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
- The illegal carrying of a firearm, as defined in Va. Code §22.1-277.07, onto school property;
- 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; and
- 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

Except that a principal is not required to but may report to the local law-enforcement agency any incident involving any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity committed by a student who has a disability.

Except as may otherwise be required by federal law, regulation or

**jurisprudence, the principal mya report to the local law-enforcement agency any incident described in Va. Code §33.2-379.3:1.A that is not required to be reported pursuant tot he two previous paragraphs.**

~~If the local law-enforcement agency employs school resource officers, the School Board and the agency have a memorandum of understanding that sets forth the powers and duties of the school resource officers. Any memorandum of understanding will address the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously published on the division website.~~

Adopted: August 6, 1998  
Revised: J anuary 8, 2004  
Revised: February 21, 2008  
Revised: June 16, 2011  
Revised: June 30, 2015  
Revised: June 19, 2018  
Revised: August 1, 2019  
Revised: August 6, 2020  
Revised: June 17, 2021  
Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-280.2:3, 22.1-293.

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8 VAC 20-750-70.

Cross Refs.: JFC Student Conduct  
JGD/JGE Student Suspension/Expulsion  
CLA Reporting Acts of Violence and Substance Abuse  
KN Sex Offender and Crimes Against Minors  
Registry Information

File: KNB

#### REPORTS OF MISSING CHILDREN

The Charlottesville City School Division ~~shall receive~~ receives reports of the

disappearance of any child living within the school division from local law enforcement pursuant to Va. Code § 52-31.1.

Upon notification by a local law-enforcement agency of a child's disappearance, the principal of the school in which the child was enrolled at the time of the disappearance ~~shall indicate~~ **indicates**, by mark, in the child's cumulative record that the child has been reported as missing. Upon notification by law enforcement that the child is located, the principal ~~shall remove~~ **removes** the mark from the record.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records ~~shall immediately notify~~ **immediately notifies** the law-enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, without alerting the requestor of such report. For the purposes of this policy, a "mark" means an electronic or other indicator that (i) is readily apparent on the student's record and (ii) ~~will immediately alert~~ **immediately alerts** any school personnel that the record is that of a missing child.

Adopted: February 21, 2008

Reviewed: June 25, 2013

Reviewed: June 20, 2017

Revised:

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-288.1; 52-31.

**Cross Refs.: KNAJ Relations with law Enforcement Authorities**

