



Lynchburg City Schools • 915 Court Street • Lynchburg, Virginia 24504

Lynchburg City School Board

Keith R. Anderson
School Board District 2

Mary Ann H. Barker
School Board District 1

Albert L. Billingsly
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Troy L. McHenry
School Board District 3

Jennifer R. Poore
School Board District 2

Treney L. Tweedy
School Board District 3

J. Marie Waller
School Board District 2

Charles B. White
School Board District 1

**SCHOOL BOARD MEETING
February 07, 2012 5:30 p.m.
School Administration Building
Board Room**

A. PUBLIC COMMENTS

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B. SPECIAL PRESENTATION

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C. CONSENT

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School Administration

Larry A. Massie
Interim Superintendent

William A. Coleman, Jr.
Assistant Superintendent of
Curriculum and Instruction

Anthony E. Beckles, Sr.
Chief Financial Officer

Wendie L. Sullivan
Clerk

- 5. School Board Policy 7-48: Weapons/Explosives
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D. STUDENT REPRESENTATIVE COMMENTS

E. UNFINISHED BUSINESS

- 1. School Board Policy 7-14: Nonresidents
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F. NEW BUSINESS

- 1. School Board Policy 4-20: Tuition Fees
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- 2. Special Education Advisory Committee: 2011-12
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- 3. Educational Technology Series XII (Spring 2012) Notes
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G. SUPERINTENDENT’S COMMENTS

H. BOARD COMMENTS

I. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, February 21, 2012, 5:30 p.m., Board Room, School Administration Building

J. ADJOURNMENT

Agenda Report

Date: 02/07/12

Agenda Number: A-1

Attachments: No

From: Larry A. Massie, Interim Superintendent

Subject: Public Comments

Summary/Description:

In accordance with School Board Policy 1-41: Public Participation, the school board welcomes requests and comments as established in the guidelines within that policy. Individuals who wish to speak before the school board shall have an opportunity to do so at this time.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/07/12

Agenda Number: B-1

Attachments: No

From: Larry A. Massie, Interim Superintendent

Subject: School Board Appreciation Month

Summary/Description:

Governor Bob McDonnell has proclaimed the month of February 2012 as School Board Appreciation Month. The Virginia School Boards Association established this observance in 1989 to encourage public recognition of the roles and responsibilities of school board members and to highlight the importance of public education throughout the Commonwealth.

This year's theme, "Leading Today for Tomorrow," stresses the importance of education in all walks of life. More than 850 school board members in Virginia are entrusted with establishing goals and policies for 134 local school divisions.

The Lynchburg City Schools is joining with other school divisions throughout the state to recognize the important contributions school board members make to their communities.

Members of the Lynchburg City School Board receive no financial compensation for their tireless efforts, and this school board is one of very few boards statewide that has student representatives. The nine members of the school board are appointed by Lynchburg City Council.

Even though this special event shows an appreciation of school board members, members of the community recognize that their contributions reflect a year-round commitment. They are dedicated individuals who are committed to the continuing success of the city's schools and students.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/07/12

Agenda Number: B-2

Attachments: No

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: Alternative Education Program

Summary/Description:

Mrs. Gloria C. Preston, director of student services and alternative education, will provide the school board with an overview of the alternative education program.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 02/07/12

Agenda Number: C-2

Attachments: Yes

From: Larry A. Massie, Interim Superintendent

Subject: Personnel Report

Summary/Description:

The personnel recommendations for January 24 – February 7, 2012, appear as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve the personnel recommendations for January 24 – February 7, 2012.

NAME	COLLEGE	DEGREE/ EXPERIENCE	SCHOOL/ ASSIGNMENT	EFFECTIVE DATE
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RESIGNATIONS:

Farmer, Leigh	Va Commonwealth University	B.A./4 yrs. (Lv.4 3)	Public Information Public Information Officer	02/08/12
McLaughlin, Patricia	Lynchburg College	B.S./2 yrs. (Lv. 1 3)	Perrymont Elementary Special Education	02/24/12

Agenda Report

Date: 02/07/12

Agenda Number: C-3

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Assistant Superintendent of Curriculum and Instruction

Subject: Textbook Adoption: History and Social Sciences – Secondary Level

Summary/Description:

The Code of Virginia states that local school boards shall be responsible for the selection and for the utilization of instructional materials. On October 18, 2011, the school board appointed an evaluation committee to plan, coordinate, and oversee the textbook adoption process for the purpose of presenting the adoption recommendations to the school board.

The evaluation committee for K-12 social sciences and K-5 reading/language arts textbook and instructional materials met in December and January. The evaluation committee along with secondary teachers and administrators has completed the review process and offers the attached recommendations for the school board to consider.

The evaluation committee considered textbooks and materials based on their correlation with the History and Social Science Standards of Learning, the quality of their content and ancillary materials, and their appropriateness for students. Parents from each school were also involved in the review. Additionally errata sheets and correlation reports provided by the Virginia Department of Education (VDOE) were reviewed by the evaluation committee.

Social sciences materials adopted now will be purchased for a six-year period beginning with the 2012-13 school year. During the 2011-2012 school year, textbooks and their ancillary materials will be delivered to the warehouse and organized for distribution in 2012-13, allowing teachers to have all materials in place on the first day of the school year. Secondary teachers will be professionally trained in the use of the textbooks and ancillary materials by selected publishers on February 20, 2012, a division-level professional development day.

Agenda Report

Date: 02/07/12

Agenda Number: C-3

Attachments: Yes

The evaluation committee recommends the adoption of seven secondary textbook bundles for use with standard and advanced history and social sciences courses. All can be found on the VDOE recommended textbook adoption list. Furthermore, the committee recommends four advanced placement textbooks for use in advanced placement history and social sciences courses. A comprehensive list of these products is attached.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve the textbooks for history and social studies for the secondary level.

Agenda Report Attachment

Item:C-3

Level	Course	Recommended Text	Publisher	Price	Cost
6th	US History to 1865	Our America to 1865, 2nd edition	Five Ponds Press	\$55.50	\$35,520.00
7th	US History 1865 to Present	America: History of Our Nation, 1865 to Present, Virginia Edition	Pearson Education, Inc.	\$78.97	\$47,382.00
8th	Civics and Economics	Civics Today	Glencoe	\$74.49	\$46,184.00
9th	World History and Geography to 1500 A.D.	Ancient World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	\$50,519.00
9th Adv	Advanced World History and Geography to 1500 A.D.	Ancient World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	
10th	World History and Geography: 1500 A.D. to the Present	Modern World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	\$50,250.00
10 Adv	Advanced World History and Geography 1500 A.D. to the Present	Modern World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	
11th	Virginia and United States History	The Americans, Virginia Student Edition	Holt McDougal	\$86.30	\$54,369.00
11th Adv	Advanced Virginia and United States	The Americans, Virginia Student Edition	Holt McDougal	\$86.30	
12th	Virginia and United States Government	Foundations Series, American Government, with Virginia and United States Government	Pearson Education, Inc.	\$85.97	\$56,310.00
12th Adv	Advanced Virginia and United States Government	Prentice Hall Magruder's American Government, with Virginia and United States Government	Pearson Education, Inc.	\$85.97	
AP	AP Virginia and United States History	The Enduring Vision	Houghton Mifflin Harcourt	\$125.00	\$20,431.00
AP	AP US Government	Government by the People, 24th edition	Pearson Education, Inc.	\$120.00	\$21,000.00
AP	AP Comparative Government	AP Comparative Government and Politics: An Essential Coursebook	Woodyard	\$14.95	\$2,616.00
AP	AP European History	A History of the Modern Europe 3rd ed.	WW Norton	\$100.00	\$2,500.00
Projected Total Cost					\$387,081.00

Agenda Report

Date: 02/07/12

Agenda Number: C-4

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 7-41: Use of Drugs and Alcohol

Summary/Description:

The school administration is reviewing school board policies and administrative regulations. As a result of that review, the school board policy regarding use of drugs and alcohol by students has been revised. A copy of the revisions to the policy appears as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve School Board Policy 7-41: Use of Drugs and Alcohol.

STUDENTS

Use of Drugs and Alcohol P7-41A. Drug Abuse1. Generally

As one of its major tasks, the school is responsible for providing a safe and healthy environment conducive to wholesome living and effective learning. To help provide such an environment, at a time when drug abuse is a serious social and health problem, the school board hereby establishes policies and procedures relative to drug abuse in the schools and on school property. This is necessary so that all school personnel (students as well as employees), local health agencies, local law enforcement officials, parents, and citizens of the community are aware of the role the school will play in any situation involving the possession of drugs with or without the intent to distribute and/or use at school.

2. Exemption

All students who take prescription medicine at school are required to furnish written permission from a parent/guardian and physician stating type, dosage, and duration of treatment.

3. Counseling Students

It should be the duty of every school to provide counseling on the use of drugs and report to the superintendent immediately any distribution and use of illegal drugs while on school property.

B. Sale, Distribution, Possession, and/or Use of Illegal Drugs or Look-alike Drugs

Any student apprehended selling, distributing, possessing using and/or under the influence of illegal or controlled drugs or look-alike drugs on school property shall be subject to the following disciplinary procedures:

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19); and
2. Notification of the police when illegal drugs or look-alike drugs are discovered on the school grounds, and the drugs will be turned over to the police; and
3. Recommendation by the school principal to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19); and

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Use of Drugs and Alcohol P7-41

4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

{The school board shall expel from school attendance any student whom the school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in the Code of Virginia §18.2-248.1:1 onto school property or to a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate.}

C. Alcohol

The use or possession of alcoholic beverages is strictly prohibited on school premises, at all school events, and while going to or from school. Any student apprehended using or possessing or under the influence of alcohol shall be subject to the following disciplinary procedures:

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19); and
2. Notification of the police when alcohol is discovered on the school grounds, and the alcohol shall be turned over to the police; and
3. Recommendation by the school principal to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19); and
4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

{The school board shall expel from school attendance any student whom the school board has determined to have used, possessed, or been under

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Use of Drugs and Alcohol P7-41

the influence of alcohol on school property or at a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate.}

Legal Reference:

Code of Va., §§ 4.1-309 Drinking or possessing alcoholic beverages in or on public school grounds; penalty A. No person shall possess or drink any alcoholic beverage in or upon the grounds of any public elementary or secondary school during school hours or school or student activities.

B. In addition, no person shall drink and no organization shall serve any alcoholic beverage in or upon the grounds of any public elementary or secondary school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

C. Any person convicted of a violation of this section shall be guilty of a Class 2 misdemeanor.

D. This section shall not prohibit any person from possessing or drinking alcoholic beverages or any organization from serving alcoholic beverages in areas approved by the Board at a performing arts center owned by any city having a population between 100,000 and 105,000, provided the organization operating the performing arts center or its lessee has a license granted by the Board. (1997)

Code of Va., §15.2-2801. Statewide regulation of smoking. A. The Commonwealth or any agency thereof and every locality shall provide reasonable no-smoking areas, considering the nature of the use and the size of the building, in any building owned or leased by the Commonwealth or any agency thereof or a locality. The provisions of this chapter shall not apply to office, work or other areas of the Department of Corrections which are not entered by the general public in the normal course of business or use of the premises.

B. Smoking shall be prohibited in (i) elevators, regardless of capacity, except in any open material hoist elevator, not intended for use by the public; (ii) public school buses; (iii) the interior of any public elementary, intermediate, and secondary school; however, smoking may be allowed by a local school division in a designated area which is not a common area, including but not limited to, a classroom, library, hallway, restroom, cafeteria, gymnasium, or auditorium after regular school hours so long as all student activities in the building have been concluded; (iv) hospital emergency rooms; (v) local or district health departments; (vi) polling rooms; (vii) indoor service lines and cashier lines; (viii) public restrooms in any building owned or leased by the Commonwealth or

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Use of Drugs and Alcohol P7-41

any agency thereof; (ix) the interior of a child day center licensed pursuant to §63.1-196 that is not also used for residential purposes; however, this prohibition shall not apply to any area of a building not utilized by a child day center, unless otherwise prohibited by this chapter; and (x) public restrooms of health care facilities.

C. Any restaurant having a seating capacity of fifty or more persons shall have a designated no-smoking area sufficient to meet customer demand. In determining the extent of the no-smoking area, the following shall not be included as seating capacity: (i) seats in any bar or lounge area of a restaurant and (ii) seats in any separate room or section of a restaurant which is used exclusively for private functions.

D. The proprietor or other person in charge of an educational facility, except any public elementary, intermediate, or secondary school, health care facility, or a retail establishment of 15,000 square feet or more serving the general public, including, but not limited to, department stores, grocery stores, drug stores, clothing stores, shoe stores, and recreational facilities shall designate reasonable no-smoking areas, considering the nature of the use and the size of the building.

E. The proprietor or other person in charge of a space subject to the provisions of this chapter shall post signs conspicuous to public view stating "Smoking Permitted" or "No Smoking," and in restaurants, signs conspicuous to ordinary public view at or near each public entrance stating "No-Smoking Section Available." Any person failing to post such signs may be subject to a civil penalty of not more than twenty-five dollars.

F. No person shall smoke in a designated no-smoking area and any person who continues to smoke in such area after having been asked to refrain from smoking may be subject to a civil penalty of not more than twenty-five dollars.

G. Any law-enforcement officer may issue a summons regarding a violation of this chapter.

H. The provisions of this chapter shall not be construed to regulate smoking in retail tobacco stores, tobacco warehouses or tobacco manufacturing facilities.

Code of Va., § 16.1-278.9. Delinquent children; loss of driving privileges for alcohol and drug offenses. A. If a court has found facts which would justify a finding that a child at least thirteen years of age at the time of the offense is delinquent and such finding involves (i) a violation of §18.2-266 or of a similar ordinance of any county, city or town, (ii) a refusal to take a blood or breath test in violation of §18.2-268.2, (iii) a felony violation of §§18.2-248, 18.2-248.1 or §18.2-250, (iv) a misdemeanor violation of §§18.2-248, 18.2-248.1, or §18.2-250 or a violation of §18.2-250.1, (v) the unlawful purchase or possession of alcohol in violation of §4.1-305 or the unlawful drinking or possession of alcoholic beverages in or on public school grounds in violation of §4.1-

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Use of Drugs and Alcohol P7-41

309, (vi) public intoxication in violation of § 18.2-388 or a similar ordinance of a county, city or town, or (vii) the unlawful use or possession of a handgun or possession of a "streetsweeper" as defined below, the court shall order that the child be denied a driver's license. In addition to any other penalty authorized by this section, if the offense involves a violation designated under clause (i) and the child was transporting a person seventeen years of age or younger, the court shall impose the additional fine and order community service as provided in § 18.2-270. If the offense involves a violation designated under clause (i), (ii), or (iii), the denial of a driver's license shall be for a period of one year or until the juvenile reaches the age of seventeen, whichever is longer, for a first such offense or for a period of one year or until the juvenile reaches the age of eighteen, whichever is longer, for a second or subsequent such offense. If the offense involves a violation designated under clause (iv), (v), or (vi) the denial of driving privileges shall be for a period of six months unless the offense is committed by a child under the age of sixteen, in which case the child's ability to apply for a driver's license shall be delayed for a period of six months following his sixteenth birthday. If the offense involves a violation designated under clause (i), (ii), (v), or (vi), the court shall impose the license sanction without entering a judgment of guilt and shall defer disposition of the delinquency charge until such time as the court disposes of the case pursuant to subsection F of this section. If the offense involves a violation designated under clause (iii) or (iv), the court shall impose the license sanction and shall dispose of the delinquency charge pursuant to the provisions of this chapter or §18.2-251. If the offense involves a violation designated under clause (vii), the denial of driving privileges shall be for a period of not less than thirty days, except when the offense involves possession of a concealed handgun or a striker 12, commonly called a "streetsweeper," or any semi-automatic folding stock shotgun of like kind with a spring tension drum magazine capable of holding twelve shotgun shells, in which case the denial of driving privileges shall be for a period of two years unless the offense is committed by a child under the age of sixteen, in which event the child's ability to apply for a driver's license shall be delayed for a period of two years following his sixteenth birthday.

B. Any child who has a driver's license at the time of the offense shall be ordered to surrender his driver's license, which shall be held in the physical custody of the court during any period of license denial.

C. The court shall report any order issued under this section to the Department of Motor Vehicles, which shall preserve a record thereof. The report and the record shall include a statement as to whether the child was represented by or waived counsel. Notwithstanding the provisions of Article 12 (§16.1-299 et seq.) of this chapter or the provisions of Title 46.2, this record shall be available only to all law-enforcement officers, attorneys for the Commonwealth and courts. No other record of the proceeding shall be forwarded to the Department of Motor Vehicles unless the proceeding results in an adjudication of guilt pursuant to subsection F.

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The Department of Motor Vehicles shall refuse to issue a driver's license to any child denied a driver's license until such time as is stipulated in the court order or until notification by the court of withdrawal of the order of denial under subsection E.

D. If the finding as to the child involves a violation designated under clause (i), (ii), (iii), or (vi) of subsection A, the child may be referred to a certified alcohol safety action program in accordance with §18.2-271.1 upon such terms and conditions as the court may set forth. If the finding as to such child involves a violation designated under clause (iii), (iv), (v) or (vii) of subsection A, such child may be referred to appropriate rehabilitative or educational services upon such terms and conditions as the court may set forth. The court, in its discretion and upon a demonstration of hardship, may authorize the use of a restricted permit to operate a motor vehicle by any child who has a driver's license at the time of the offense for any of the purposes set forth in subsection E of §18.2-271.1 or for travel to and from school, except that no restricted license shall be issued if the finding as to such child involves a violation designated under clause (iii) or (iv) of subsection A, or if it involves a second or subsequent violation of any offense designated in subsection A. The issuance of the restricted permit shall be set forth within the court order, a copy of which shall be provided to the child, and shall specifically enumerate the restrictions imposed and contain such information regarding the child as is reasonably necessary to identify him. The child may operate a motor vehicle under the court order in accordance with its terms. Any child who operates a motor vehicle in violation of any restrictions imposed pursuant to this section shall be guilty of a violation of §46.2-301.

E. Upon petition made at least ninety days after issuance of the order, the court may review and withdraw any order of denial of a driver's license if for a first such offense. For a second or subsequent such offense, the order may not be reviewed and withdrawn until one year after its issuance.

F. If the finding as to such child involves a violation designated under clause (i), (ii), (v), (vi) or (vii) of subsection A, upon fulfillment of the terms and conditions prescribed by the court and after the child's driver's license has been restored, the court shall or, in the event the violation resulted in the injury or death of any person, may discharge the child and dismiss the proceedings against him. Discharge and dismissal under these provisions shall be without an adjudication of guilt but a record of the proceeding shall be retained for the purpose of applying this section in subsequent proceedings. Failure of the child to fulfill such terms and conditions shall result in an adjudication of guilt. If the finding as to such child involves a violation designated under clause (iii) or (iv) of subsection A, the charge shall not be dismissed pursuant to this subsection but shall be disposed of pursuant to the provisions of this chapter or § 18.2-251. (1997)

Code of Va., § 18.2-247. Use of terms "controlled substances," "marijuana," "Schedules I, II, III, IV, V and VI" and "imitation controlled substance" in Title 18.2. Use

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of terms "controlled substances," "marijuana," "Schedules I, II, III, IV, V and VI" and "imitation controlled substance" in Title 18.2 A. Wherever the terms "controlled substances," "marijuana" and "Schedules I, II, III, IV, V and VI" are used in Title 18.2, such terms refer to those terms as they are used or defined in the Drug Control Act, Chapter 34 of Title 54.1.

B. The term "imitation controlled substance" when used in this article means a pill, capsule, tablet, or substance in any form whatsoever which is not a controlled substance subject to abuse, and:

1. Which by overall dosage unit appearance, including color, shape, size, marking and packaging or by representations made, would cause the likelihood that such a pill, capsule, or tablet will be mistaken for a controlled substance unless such substance was introduced into commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate; or

2. Which by express or implied representations purports to act like a controlled substance as a stimulant or depressant of the central nervous system and which is not commonly used or recognized for use in that particular formulation for any purpose other than for such stimulant or depressant effect, unless marketed, promoted, or sold as permitted by the United States Food and Drug Administration.

C. In determining whether a pill, capsule, tablet, or substance in any other form whatsoever, is an "imitation controlled substance," there shall be considered, in addition to all other relevant factors, comparisons with accepted methods of marketing for legitimate nonprescription drugs for medicinal purposes rather than for drug abuse or any similar nonmedicinal use, including consideration of the packaging of the drug and its appearance in overall finished dosage form, promotional materials or representations, oral or written, concerning the drug, and the methods of distribution of the drug and where and how it is sold to the public.

Code of Va., § 18.2-255. Distribution of certain drugs to persons under eighteen prohibited. A. Except as authorized in the Drug Control Act, Chapter 34 of Title 54.1, it shall be unlawful for any person who is at least eighteen years of age to knowingly or intentionally (i) distribute any drug classified in Schedule I, II, III or IV or marijuana to any person under eighteen years of age who is at least three years his junior or (ii) cause any person under eighteen years of age who is at least three years his junior to assist in such distribution of any drug classified in Schedule I, II, III or IV or marijuana. Any person violating this provision shall upon conviction be imprisoned in a state correctional facility for a period not less than ten nor more than fifty years, and fined not more than \$100,000. Five years of the sentence imposed shall not be suspended, in whole or in part for a conviction under this section involving a Schedule I or II controlled substance or one ounce or more of marijuana. Two years of the sentence imposed shall

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not be suspended, in whole or in part, for a conviction involving less than one ounce of marijuana.

B. It shall be unlawful for any person who is at least eighteen years of age to knowingly or intentionally (i) distribute any imitation controlled substance to a person under eighteen years of age who is at least three years his junior or (ii) cause any person under eighteen years of age who is at least three years his junior to assist in such distribution of any imitation controlled substance. Any person violating this provision shall be guilty of a Class 6 felony. (1997)

Code of Va., § 18.2-255.2. Prohibiting the sale of drugs on or near certain properties. Prohibiting the sale of drugs on or near certain properties "A. It shall be unlawful for any person to manufacture, sell or distribute or possess with intent to sell, give or distribute any controlled substance, imitation controlled substance or marijuana while (i) upon the property, including buildings and grounds, of any public or private elementary, secondary, or post secondary school, or any public or private two-year or four-year institution of higher education; (ii) upon public property or any property open to public use within 1,000 feet of such school property; (iii) on any school bus as defined in § [46.2-100](#); (iv) upon a school bus stop, or upon either public property or any property open to public use which is within 1,000 feet of such school bus stop, during the time when school children are waiting to be picked up and transported to or are being dropped off from school or a school-sponsored activity; (v) upon the property, including buildings and grounds, of any publicly owned or publicly operated recreation or community center facility or any public library; or (vi) upon the property of any state hospital as defined in § [37.1-1](#) or upon public property or property open to public use within 1,000 feet of such an institution. Nothing in this section shall prohibit the authorized distribution of controlled substances.

B. Violation of this section shall constitute a separate and distinct felony. Any person violating the provisions of this section shall, upon conviction, be imprisoned for a term of not less than one year nor more than five years and fined not more than \$100,000. However, if such person proves that he sold such controlled substance or marijuana only as an accommodation to another individual and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance or marijuana to use or become addicted to or dependent upon such controlled substance or marijuana, he shall be guilty of a Class 1 misdemeanor.

C. If a person commits an act violating the provisions of this section, and the same act also violates another provision of law that provides for penalties greater than those provided for by this section, then nothing in this section shall prohibit or bar any prosecution or proceeding under that other provision of law or the imposition of any penalties provided for thereby."

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Use of Drugs and Alcohol P7-41

Code of Va., §22.1-277.01 Expulsion of students for certain drug offenses

"A. School boards shall expel from school attendance any student whom such school board has determined, in accordance with the procedures set forth in § 22.1-277, to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § [18.2-247](#) onto school property or to a school-sponsored activity. A school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, a school board may, by regulation, authorize the division superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in § 22.1-277.

B. Each school board shall revise its standards of student conduct to incorporate the requirements of this section no later than three months after the date on which this act becomes effective."

- Adopted by School Board: November 21, 1972
- Revised by School Board: November 20, 1973
- Revised by School Board: September 17, 1974
- Revised by School Board: September 7, 1976
- Revised by School Board: July 8, 1986
- Revised by School Board: August 9, 1988
- Revised by School Board: August 1, 1989
- Revised by School Board: August 2, 1994
- Revised by School Board: October 3, 1995
- Revised by School Board: March 16, 1999
- Revised by School Board:

Agenda Report

Date: 02/07/12

Agenda Number: C-5

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 7-48: Weapons/Explosives

Summary/Description:

The school administration is reviewing school board policies and administrative regulations. As a result of that review, the school board policy regarding the use and possession of weapons/explosives by students has been revised. A copy of the revisions to the policy appears as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve School Board Policy 7-48: Weapons/Explosives.

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Weapons/Explosives P7-48A. Definitions

1. Weapons: Weapons include firearms, knives, look-a-like weapons and other dangerous objects or instruments.
2. Explosives. Explosives include fireworks, firecrackers, dynamite, dynamite caps and other explosive substances or devices.
3. Objects as Weapons: The use of any object or device by a student in a manner that may cause injury to or intimidation of another person may subject the student to discipline under this section. Some examples would be laser pointers or devices directed toward the face of another person, compasses used to strike or threaten another person, etc.
4. **Destructive Device: (1) Any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.**
5. Firearm: Any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. "Firearm" does not include any pneumatic gun as defined in this Policy.

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

B. Restrictions

Students shall not possess or have on their person, in their locker, vehicle, on school grounds, at school-sponsored functions or extracurricular activities, or on any school bus any weapons and/or explosives. In addition to any discipline by school administrators, as provided in Policy 7-19, violators will be subject to prosecution as provided by State law.

C. Exemptions

~~The provisions of this policy shall not apply to students who carry such weapons or explosives as a part of the school curriculum or community-sponsored programs approved by the school board.~~ **{The provisions of this policy shall not apply to persons who possess such firearm or firearms as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.}**

D. Any violations of this policy shall result in

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19) and;
2. Confiscated weapons and/or explosives being turned over to the police department for appropriate action and;
3. Recommendation by the school official to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19) and;
4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

{The school board shall expel from school attendance for a period of not less

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than one year any student whom such school board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this Policy.}

Legal Reference:

Code of Va., § 18.2-308.1 Possession of firearm, stun weapon, or other weapon on school property prohibited

“A. If any person possesses any (i) stun weapon as defined in this section; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) weapon, including a weapon of like kind, designated in subsection A of § [18.2-308](#), other than a firearm; upon (a) the property of any public, private or religious elementary, middle or high school, including buildings and grounds; (b) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (c) any school bus owned or operated by any such school, he shall be guilty of a Class 1 misdemeanor.

B. If any person possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material while such person is upon (i) any public, private or religious elementary, middle or high school, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school, he shall be guilty of a Class 6 felony; however, if the person possesses any firearm within a public, private or religious elementary, middle or high school building and intends to use, or attempts to use, such firearm, or displays such weapon in a threatening manner, such person shall be sentenced to a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence.

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The exemptions set out in § [18.2-308](#) shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to (i) persons who possess such weapon or weapons as a part of the school's curriculum or activities; (ii) a person possessing a knife customarily used for food preparation or service and using it for such purpose; (iii) persons who possess such weapon or weapons as a part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises; (iv) any law-enforcement officer; (v) any person who possesses a knife or blade which he uses customarily in his trade; (vi) a person who possesses an unloaded firearm that is in a closed container, or a knife having a metal blade, in or upon a motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon a motor vehicle; or (vii) a person who has a valid concealed handgun permit and possesses a concealed handgun while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. For the purposes of this paragraph, "weapon" includes a knife having a metal blade of three inches or longer and "closed container" includes a locked vehicle trunk.

As used in this section:

"Stun weapon" means any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person. "

(1979, c. 467; 1988, c. 493; 1990, cc. 635, 744; 1991, c. 579; 1992, cc. 727, 735; 1995, c. 511; 1999, cc. 587, 829, 846; 2001, c. 403; 2003, cc. 619, 976; 2004, cc. 128, 461; 2005, cc. 830, 928; 2007, c. 519.)

Code of Va., §22.1-277.07.. Expulsion of students under certain circumstances; exceptions.

"A. In compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), a school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined, in accordance with the procedures set forth in this article, to have possessed a firearm on school property or at a school-sponsored activity as prohibited by § [18.2-308.1](#); to have possessed a firearm or destructive device as defined in subsection E, a firearm muffler or firearm silencer, or a pneumatic gun as defined in subsection E of § [15.2-915.4](#) on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. A school board may promulgate guidelines for determining what constitutes special circumstances. In addition, a school board may, by regulation, authorize the division

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superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in this article.

B. The Board of Education is designated as the state education agency to carry out the provisions of the federal Improving America's Schools Act of 1994, and shall administer the funds to be appropriated to the Commonwealth under this act.

C. Each school board shall revise its standards of student conduct no later than three months after the date on which this act becomes effective. Local school boards requesting moneys apportioned to the Commonwealth through the federal Improving America's Schools Act of 1994 shall submit to the Department of Education an application requesting such assistance. Applications for assistance shall include:

1. Documentation that the local school board has adopted and implemented student conduct policies in compliance with this section; and

2. A description of the circumstances pertaining to expulsions imposed under this section, including (i) the schools from which students were expelled under this section, (ii) the number of students expelled from each such school in the school division during the school year, and (iii) the types of firearms involved in the expulsions.

D. No school operating a Junior Reserve Officers Training Corps (JROTC) program shall prohibit the JROTC program from conducting marksmanship training when such training is a normal element of such programs. Such programs may include training in the use of pneumatic guns. The administration of a school operating a JROTC program shall cooperate with the JROTC staff in implementing such marksmanship training.

E. As used in this section:

"Destructive device" means (i) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (ii) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in § [18.2-299](#) or any firearm prohibited from civilian ownership by federal law; and (iii) any combination of parts either designed or intended for use in converting any device into any destructive device

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described in this subsection and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of § [18.2-308.2:2](#).

"Firearm" means any weapon prohibited on school property or at a school-sponsored activity pursuant to § [18.2-308.1](#), or any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material or the frame or receiver of any such weapon. "Firearm" shall not include any pneumatic gun, as defined in subsection E of § [15.2-915.4](#).

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

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

F. The exemptions set out in § [18.2-308](#) regarding concealed weapons shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

G. This section shall not be construed to diminish the authority of the Board of Education or the Governor concerning decisions on whether, or the extent to which, Virginia shall participate in the federal Improving America's Schools Act of 1994, or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government."

(1995, cc. 724, 801; 1999, cc. 707, 1027; 2000, c. 523, § [22.1-277.01](#); 2001, cc. 688, 820; 2003, cc. 843, 976; 2004, c. 930; 2006, c. 703.)

Adopted by School Board: December 4, 1990

Revised by School Board: July 5, 1994

Revised by School Board: October 3, 1995

Revised by School Board: January 19, 1999

Revised by School Board:

Agenda Report

Date: 02/07/12

Agenda Number: E-1

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 7-14: Nonresidents

Summary/Description:

During the school board retreat, school board members discussed the opportunity for students who live outside the city and pay tuition to attend the Lynchburg City Schools to have access to the same programs as students who reside in the city. Proposed revisions to the current policy, based upon input from school board members, were presented to the school board at the meeting on November 15, 2011. In addition to the programs currently cited in School Board Policy 7-14, the school administration presented information about the prekindergarten program to the school board on December 6, 2011. This program would not be available to nonresident students because this program is funded by the state and is based on the estimated number of at-risk four-year-olds not eligible for Head Start within each locality.

Nonresident students who pay tuition to attend the Lynchburg City Schools and who receive additional services must pay the additional cost of those services. Parents of non-resident students need to provide transportation to and from school.

Revisions to the policy appear as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board consider action on this agenda report.

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Nonresidents P 7-14

Nonresident students may be accepted for enrollment in the Lynchburg City Schools upon authorization by the superintendent or his/her designee.

Tuition fees for nonresident students will be approved by the board each year. Additional tuition fees may be charged depending upon the services required.

A refund for any unused tuition will be made if a **{n enrolled}** nonresident student should withdraw during the school year.

The superintendent, or his designee, will assign students to schools. Transportation will be the responsibility of the parent.

~~{Enrolled} N{n}~~ Nonresident students are not eligible to apply as Lynchburg residents to attend the pre-kindergarten program **{. Nonresident students must be enrolled in the Lynchburg City Schools for a minimum of one academic year prior to being eligible to attend one of the schools for innovation, the Gifted Opportunities Center, or the Central Virginia Governor’s School for Science and Technology. Nonresident students seeking admission to one of the schools for innovation at the Kindergarten level may apply without meeting the minimum one-year-enrollment requirement. }** ~~, the schools for innovation, the Gifted Opportunity Center or the Central Virginia Governor’s School for Science and Technology.~~

Nonresident students will be admitted **{to Lynchburg City Schools}** ~~only~~ on a space-available basis and contingent upon a review of the student’s scholastic record. **{Nonresident students will be subject to all selection and placement procedures established by the school division for resident students.}** Admission **{to the Lynchburg City Schools}** is not assumed to be continuous from one year to the next. Parents/guardians must submit an application each year.

Students who have been suspended from their former schools or who have poor attendance or disciplinary records or reportable offenses may not be accepted. **{Enrolled} N{n}** Nonresident students who become disciplinary problems, have attendance problems, or have reportable offenses after enrollment are subject to immediate removal from the school division.

Parents or guardians paying tuition for multiple children during the same academic year will pay on a basis of paying full tuition for the first child and half tuition for any other children who reside with the same parent/guardian.

Legal Reference

STUDENTS

Nonresidents P 7-14

Code of Va., §22.1-5. Regulations concerning admission of certain persons to schools; tuition charges. – “A. Consistent with Article VIII, Section 1 of the Constitution of Virginia, no person may be charged tuition for admission or enrollment in the public schools of the Commonwealth, whether on a full-time or part-time basis, who meets the residency criteria set forth in § [22.1-3](#). No person of school age shall be charged tuition for enrollment in a general education development or alternative program offered as a regional or divisionwide initiative by the local school division in which such person is deemed to reside pursuant to § [22.1-3](#). Further, no person of school age shall be denied admission or charged tuition when (i) such person's custodial parent has been deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces; (ii) such person's custodial parent has executed a Special Power of Attorney under Title 10, United States Code, § 1044b providing for the care of the person of school age by an individual who is defined as a parent in § [22.1-1](#) during the time of his deployment outside the United States; and (iii) such person has been attending a public school in this Commonwealth while residing with his custodial parent. The person of school age shall be allowed to attend a school in the school division in which the individual providing for his care, pursuant to the Special Power of Attorney under Title 10, United States Code, § 1044b, resides or, when practicable, to continue to attend the school in which he was enrolled while residing with his custodial parent.

The following persons may, however, in the discretion of the school board of a school division and pursuant to regulations adopted by the school board, be admitted into the public schools of the division and may, in the discretion of the school board, be charged tuition:

1. Persons who reside within the school division but who are not of school age.
2. Persons of school age who are residents of the Commonwealth but who do not reside within the school division, except as provided in this section.
3. Persons of school age who are attending school in the school division pursuant to a foreign student exchange program approved by the school board.
4. Persons of school age who reside beyond the boundaries of the Commonwealth but near thereto in a state or the District of Columbia which grants the same privileges to residents of the Commonwealth.
5. Persons of school age who reside on a military or naval reservation located wholly or partly within the geographical boundaries of the school division and who are not domiciled residents of the Commonwealth of Virginia; however, no person of school age residing on a military or naval reservation located wholly or partly within the geographical boundaries of the school division may be charged tuition if federal funds

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provided under P.L. 874 of 1950, commonly known as Impact Aid, shall fund such students at not less than 50 percent of the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division.

6. Persons of school age who, as domiciled residents of the Commonwealth who were enrolled in a public school within the school division, are required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, if the school division subsequently enrolling such persons is contiguous to such state or District of Columbia.

7. Persons of school age who reside in the school division and who are enrolled in summer programs, exclusive of required remediation as provided in § [22.1-253.13:1](#), or in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

For the purposes of determining the residency of persons described in subdivisions 1 and 2 of this subsection, local school boards shall adopt regulations consistent with the residency requirements regarding persons residing in housing or temporary shelter, or on property located in multiple jurisdictions, as articulated in § [22.1-3](#).

B. Persons of school age who are not residents of the Commonwealth but are living temporarily with persons residing within a school division may, in the discretion of the school board and pursuant to regulations adopted by it, be admitted to the public schools of the school division. Tuition shall be charged such persons.

C. No tuition charge authorized or required in this section shall exceed the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division and the actual, additional costs of any special education or gifted and talented program provided the pupil, except that if the tuition charge is payable by the school board of the school division of the pupil's residence pursuant to a contract entered into between the two school boards, the tuition charge shall be that fixed by such contract.

D. School boards may accept and provide programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their twelfth birthday, and who have not reached 22 years of age on or before August 1 of the school year. No tuition shall be charged such students, if state funding is provided for such programs.”

(Code 1950, §§ 22-218.3, 22-219, 22-220; 1958, c. 628; 1959, Ex. Sess., c. 81, § 1; 1964, c. 192; 1968, c. 178; 1976, cc. 681, 713; 1978, c. 140; 1980, c. 559; 1981, c. 342; 1993, c. 293; 1994, c. 887; 1999, cc. 394, 443, 465, 988; 2000, c. 253; 2004, c. 967.)

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Nonresidents P 7-14

Code of Va., § 22.1-101.1. Increase of funds for certain nonresident students; how increase computed and paid; billing of out-of-state placing agencies or persons.--" A. To the extent such funds are appropriated by the General Assembly, a school division shall be reimbursed for the cost of educating a child who is not a child with disabilities and who is not a resident of such school division under the following conditions:

1. When such child has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;
2. When such child has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or
3. When such child, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

B. To the extent such funds are appropriated by the General Assembly, a school division shall be reimbursed for the cost of educating a child with disabilities who is not a resident of such school division under the following conditions:

1. When the child with disabilities has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;
2. When such child with disabilities has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or
3. When such child with disabilities, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

C. Each school division shall keep an accurate record of the number of days which any child, identified in subsection A or B above, was enrolled in its public schools, the required local expenditure per child, the handicapping condition, if applicable, the placing agency or person and the jurisdiction from which the child was sent. Each school division shall certify this information to the Board of Education by July 1 following

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the end of the school year in order to receive proper reimbursement. No school division shall charge tuition to any such child.

D. When a child who is not a resident of Virginia, whether disabled or not, has been placed by an out-of-state agency or a person who is the resident of another state in foster care or other custodial care or in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 located within the geographical boundaries of the school division, the school division shall not be reimbursed for the cost of educating such child from funds appropriated by the General Assembly. The school division in which such child has been enrolled shall bill the sending agency or person for the cost of the education of such child as provided in subsection C of § [22.1-5](#).

The costs of the support and maintenance of the child shall include the cost of the education provided by the school division; therefore, the sending agency or person shall have the financial responsibility for the educational costs for the child pursuant to Article V of the Interstate Compact on the Placement of Children as set forth in Chapters 10 (§ [63.2-1000](#) et seq.) and 11 (§ [63.2-1100](#) et seq.) of Title 63.2. Upon receiving the bill for the educational costs from the school division, the sending agency or person shall reimburse the billing school division for providing the education of the child. Pursuant to Article III of the Interstate Compact on the Placement of Children, no sending agency or person shall send, bring, or cause to be sent or brought into this Commonwealth any child for placement unless the sending agency or person has complied with this section by honoring the financial responsibility for the educational cost as billed by a local school division.”

(1988, c. 101; 1992, cc. 837, 880; 1994, c. 854.)

Code of Va., § 22.1-255. Nonresident children.-- Any person who has residing with him for a period of sixty days or more any child within the ages prescribed in § [22.1-254](#) whose parents or guardians reside in another state or the District of Columbia shall be subject to the provisions of § [22.1-254](#) and shall pay or cause to be paid any tuition charges for such child that may be required pursuant to § [22.1-5](#) or shall return such child to the home of his parents or legal guardians.

(Code 1950, § 22-220; 1958, c. 628; 1968, c. 178; 1976, cc. 681, 713; 1978, c. 140; 1980, c. 559.)

Public Law 100-77 (July 22, 1987) at Subtitle B - "Education for Homeless Children and Youth."

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Adopted by School Board: June 17, 1975

Revised by School Board: January 6, 1981

Revised by School Board: November 5, 1996

Revised by School Board: March 7, 2006

Revised by School Board:

Members of the school administration have established additional fees to be charged nonresident students who apply or qualify for these services. These fees were determined based upon cost differential associated with the staffing of these programs. Fees are subject to change annually. Based upon current staffing and the contract between Lynchburg City Schools and the Board of the Central Virginia Governor's School for Science and Technology, the following additional fees are proposed:

Thomas C. Miller Elementary School for Innovation	\$400.00
Dearington Elementary School for Innovation	\$500.00
Paul Laurence Dunbar Middle School for Innovation	\$300.00
Gifted Opportunities Center	No Additional Fee
Central Virginia Governor's School for Science and Technology	\$4200.00

Agenda Report

Date: 02/07/12

Agenda Number: F-1

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 4-20: Tuition Fees

Summary/Description:

In its review of School Board Policy 7-14: Nonresidents, members of the school administration also reviewed School Board Policy 4-20: Tuition Fees. In order to align the two policies, the school administration recommends changes to School Board Policy 4-20: Tuition Fees. The proposed revisions appear as an attachment to this agenda report.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board consider action on this agenda report.

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

A. Generally

Nonresident students may be accepted for enrollment in the Lynchburg City Schools upon authorization by the superintendent or his designee.

Nonresident students will be assigned to a school with approval of the superintendent or his designee.

B. {Annual} Fees

{Members of the school administration have established annual fees to be charged.}

The base tuition fees for nonresident students will be approved by the school board each year.

A refund for any unused tuition will be made if a nonresident student should withdraw during the school year.

Nonresident students who require **{and/or qualify for additional }special** instructional services will be ~~admitted only on a space-available basis. {charged}~~ **A{a}dditional** fees will be charged depending upon the services **required {provided.}**

Legal Reference:

Code of Va., § 22.1-5. Regulations concerning admission of certain persons to schools; tuition charges. " A. Consistent with Article VIII, Section 1 of the Constitution of Virginia, no person may be charged tuition for admission or enrollment in the public schools of the Commonwealth, whether on a full-time or part-time basis, who meets the residency criteria set forth in § [22.1-3](#). No person of school age shall be charged tuition for enrollment in a general education development or alternative program offered as a regional or divisionwide initiative by the local school division in which such person is deemed to reside pursuant to § [22.1-3](#). The following persons may, however, in the discretion of the school board of a school division and pursuant to regulations adopted by the school board, be admitted into the public schools of the division and may, in the discretion of the school board, be charged tuition:

1. Persons who reside within the school division but who are not of school age.
2. Persons of school age who are residents of the Commonwealth but who do not reside within the school division.

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

3. Persons of school age who are attending school in the school division pursuant to a foreign student exchange program approved by the school board.
4. Persons of school age who reside beyond the boundaries of the Commonwealth but near thereto in a state or the District of Columbia which grants the same privileges to residents of the Commonwealth if the school division admitting such persons borders such state or District of Columbia.
5. Persons of school age who reside on a military or naval reservation located wholly or partly within the geographical boundaries of the school division and who are not domiciled residents of the Commonwealth of Virginia; however, no person of school age residing on a military or naval reservation located wholly or partly within the geographical boundaries of the school division may be charged tuition if federal funds provided under P.L. 874 of 1950, commonly known as Impact Aid, shall fund such students at not less than fifty percent of the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division.
6. Persons of school age who, as domiciled residents of the Commonwealth who were enrolled in a public school within the school division, are required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, if the school division subsequently enrolling such persons is contiguous to such state or District of Columbia.
7. Persons of school age who reside in the school division and who are enrolled in summer programs, exclusive of required remediation as provided in § 22.1-253:13.1, or in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

For the purposes of determining the residency of persons described in subdivisions 1 and 2 of this subsection, local school boards shall adopt regulations consistent with the residency requirements regarding persons residing in housing or temporary shelter, or on property located in multiple jurisdictions, as articulated in § [22.1-3](#).

B. Persons of school age who are not residents of the Commonwealth but are living temporarily with persons residing within a school division may, in the discretion of the school board and pursuant to regulations adopted by it, be admitted to the public schools of the school division. Tuition shall be charged such persons.

C. No tuition charge authorized or required in this section shall exceed the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division and the actual, additional costs of any special education or gifted and talented program provided the pupil, except that if the tuition charge is payable by the school board of the school division of the

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

pupil's residence pursuant to a contract entered into between the two school boards, the tuition charge shall be that fixed by such contract.

D. School boards may accept and provide programs for students for whom English is a second language who entered school in Virginia for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year. No tuition shall be charged such students, if state funding is provided for such programs."

Code of Va., § 22.1-101.1. Increase of funds when certain nonresident pupils attend schools; how increase computed and paid; billing of out-of-state placing agencies or persons. (Quoted at #7-14 of this manual.) (1994)

Code of Va., § 22.1-255. Nonresident children.(Quoted at #7-14 of this manual.) (1980)

Adopted by School Board: June 17, 1975
Revised by School Board: January 6, 1981
Revised by School Board: January 19, 1999

Agenda Report

Date: 02/07/12

Agenda Number: F-2

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: Special Education Advisory Committee: 2011-2012

Summary/Description:

State regulations governing the education of students with disabilities require the Lynchburg City School Board to appoint a Special Education Advisory Committee annually. This committee meets a minimum of four times per year, and members serve two-year terms.

The Virginia Department of Education guidelines define the role of the Special Education Advisory Committee as follows:

- To advise the school division of unmet needs in the education of students with disabilities,
- To assist the school division in the formulation and development of long-range plans designed to provide needed educational services for students with disabilities,
- To participate in the development of priorities and strategies for meeting the identified needs of students with disabilities,
- To submit periodic reports and recommendations regarding the education of students with disabilities to the division superintendent for transmission to the school board,
- To assist the school division in interpreting plans to the community for meeting the special needs of students with disabilities.

The proposed membership appears as an attachment to this agenda report. New members are noted in bold.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board approve the appointment of the Special Education Advisory Committee membership for 2011-2012.

**Proposed
2011-2012 Special Education Advisory Committee**

School	Representative	Ending Year
Bass Elementary	Johnnie Rogers	2012
Bedford Hills Elementary	Cecilia Reid-Perry	2012
Dearington Elementary	Kelly Campbell	2012
Heritage Elementary	Misty Cronin	2012
Linkhorne Elementary	Melissa Agnew	2012
Paul Munro Elementary	Catherine Moseley	2013
Perrymont Elementary	Elizabeth White	2012
R.S. Payne Elementary	Elexis Wells	2012
Sandusky Elementary	Kim Hartless	2013
Sheffield Elementary	Jessica Creammer	2012
T.C. Miller Elementary	Melody Franklin-Henry	2012
Dunbar Middle School	Felicia Calloway	2013
Linkhorne Middle School	Kathleen Raine	2013
Sandusky Middle School	Anita Chambers	2013
Hutcherson ELP	Mary Mattox	2013
Laurel Regional Program	Maria Baxter	2012
E.C. Glass High School	Susan Tatom	2013
Heritage High School	Raymond Williams	2012
Past Chair	Jake Callaham	2012
Community Representative	Ellen Agnew	2012
Homeschooled/Private	Eileen Lass	2012
Chair 2011-2012	Suzanne Conway	2012
Employment Focus	Pete Parziale	
Special Education Teacher Representative	Polly Smith	2012
Lynchburg City Schools Consultants	Wyllys D. VanDerwerker	Director of Special Education
	Sharron Gunter	Coordinator for Special Education Instruction
	Patty Ferington	Administrative Designee for Special Education

Agenda Report

Date: 02/07/11

Agenda Number: F-3

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

Subject: Educational Technology Series XII (Spring 2012) Notes

Summary/Description:

The Virginia Department of Education has notified Lynchburg City Schools that its share of the Educational Technology Series XII (Spring 2012) Grant Funds will be \$466,000. A 20 percent matching expenditure of \$93,200 is required. Grant funds may be expended on networking/infrastructure equipment, classroom multimedia network computers, instructional software, and local technology plan hardware. Purchases from these funds are financed by Virginia Public School Authority Bonds, which are sold in the spring of each year.

Ordinarily, these funds may not be spent more than 60 days prior to the date the bonds are sold. However, a school division may spend funds prior to that date and be reimbursed for those expenditures if the school board passes a resolution stating its intention to do so. A resolution stating the school board's intention to be reimbursed for expenditures is attached for school board consideration.

The Central Virginia Governor's School for Science and Technology, the LAUREL Regional Special Education Program, and the Secondary Alternative Education Program are also eligible for \$26,000 each. There is no local match required for these grants. The resolution attached to this agenda report refers to these funds as well.

Disposition: **Action**
 Information
 Action at Meeting on:

Recommendation:

The interim superintendent recommends that the school board approve the resolution to permit reimbursement for expenditures under the Educational Technology Issue Series XII Notes.

RESOLUTION OF THE LYNCHBURG CITY SCHOOL BOARD OF LYNCHBURG CITY SCHOOLS DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE GRANTS MADE BY THE COMMONWEALTH OF VIRGINIA FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, Lynchburg City Schools (“the Division”) is a political subdivision organized and existing under the laws of the Commonwealth of Virginia; and

WHEREAS, the Division has paid, beginning no earlier than February 1, 2012 and will pay, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the capital projects (the “Project”), as more fully described in Appendix A attached hereto; and

WHEREAS, the Lynchburg City School Board of the Division (the “Board”) has determined that the money previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for temporary period and it is necessary to reimburse the Division for the Expenditures from the proceeds of one or more grants to be made by the Commonwealth of Virginia (the “Grants”) from the proceeds of its tax exempt equipment notes (the “Notes”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the Division’s intent to reimburse the Division with the proceeds of the Grants for the Expenditures with respect to the Project made on and after February 1, 2012, which date is no more than 60 days prior to the date hereof. The Division reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Grants.

Section 2. Each expenditure was and will be of a type properly chargeable to capital account under the general federal income tax principles (determined in each case as of the date of the Expenditure).

Section 3. The maximum cost of the Project is expected to be \$544,000.00.

Section 4. The Division will make a reimbursement allocation, which is a written allocation by the Division that evidences the Division’s use of the proceeds of the Grants to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Division recognizes that exceptions are available for certain “preliminary expenditures,” costs of issuance, certain de minimis amounts, expenditures by “small issuers”(based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this 7th day of February, 2012.

(School Board Chair)

Attested to:

(Superintendent)

APPENDIX A

DESCRIPTION OF PROJECT

Check the Applicable Box(es):

- (1) **Classroom Multimedia Network Computers** – requests in this category include only the cost of the new computer itself (e.g., monitor,CPU,keyboard, mouse, operating system software). Additional software or peripherals such as printers or modems should not be included in this category.

- (2) **Internet-Ready Local Area Network (LAN) Capability** – requests in this category include costs related to networking,retrofitting, upgrading of school buildings, and operating software related to Internet-ready local area network capability (e.g., wiring,servers,power upgrade, etc.).

- (3) **Assure adequate high-speed, high-bandwidth capability** – requests in this category include costs related to networking,retrofitting, upgrading of school buildings, and operating software related to access the Internet (e.g., wiring,servers,power upgrade,etc.).

- (4) **Instructional Software** – requests in this category shall not exceed **1/13th** of the amount spent on Classroom Multimedia Network Computers (see A1). Software purchased must have a useful life of a least one year and be included in the division's approved technology plan.

Agenda Report

Date: 02/07/12

Agenda Number: F-4

Attachments: Yes

From: Larry A. Massie, Interim Superintendent
William A. Coleman, Jr. Assistant Superintendent of Curriculum and Instruction

Subject: 2012 Summer Programs

Summary/Description:

The school division offers summer programs to provide enrichment, acceleration, and academic support opportunities for elementary, middle, and high school students. The attachment to this agenda report provides the name, description, student groups, dates, times, transportation needs, and funding sources for each of the proposed summer programs.

Disposition: Action
 Information
 Action at Meeting on: 02/21/12

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on February 21, 2012.

LYNCHBURG CITY SCHOOLS: PROPOSED 2012 SUMMER PROGRAMS

Program	Students Served	Dates & Hours	Cost to Student	Transp. Provided?
PETAL Elementary Accelerated Reading and Math Academies	Students rising into grades 2-6 recommended for acceleration in reading or math. Eligibility require- ments will be communicated through the principal.	June 25-July 26 (M-Th) Off July 4-5 Students: 8:30 a.m. – 12:00 p.m. Monday – Thursday <u>No Friday sessions</u> Teachers: 8:00 a.m.- 12:15 p.m.	None	Yes
PETAL Middle School Accelerated Math Academy	Students rising into grades 7 & 8 recommended for acceleration in math. Eligibility requirements will be communicated through the principal.	June 25-July 26 (M-Th) Off July 4-5 Students: 8:30 a.m. - 12:00 noon Monday – Thursday <u>No Friday sessions</u> Teachers: 8:00 a.m. – 12:15 p.m.	None	Yes
PETAL High School Accelerated Math Bridge Academies	Current high school PETAL students needing a transitional course into their next accelerated math course	July 16-July 26 (M-Th) Students: 8:30 a.m. - 12:00 noon Monday – Thursday <u>No Friday sessions</u> Teachers: 8:00 a.m. – 12:15 p.m.	None	Yes

LYNCHBURG CITY SCHOOLS: PROPOSED 2012 SUMMER PROGRAMS

Program	Students Served	Dates & Hours	Cost to Student	Transp. Provided?
Four Elementary Enrichment Programs	Students rising into grades 1-5	July 9–13 (M-F) July 16–20 (M-F) July 23–27 (M-F) Students: 1st class: 9:00-12:00 noon (M-F) 2nd class: 1:00-4:00 p.m. (M-F) Teachers: 1st class: 8:30 a.m. – 12:15 p.m. 2nd class: 12:30 p.m. – 4:15 p.m.	\$50 city residents \$100 non-city residents \$90 (2 wks) city residents \$175 (2 wks) non-city residents	No
Summer Athletic Camps	Elementary, middle, and high school students interested in developing skills in particular sports	Dates–TBA hours vary by camp	\$30 to \$50 per camp depending on camp	No
SOL Content Academies Page 45	Students who have passed a course but failed the associated SOL test	June 13-19 Algebra 1 Chemistry June 20-26 Biology 1 Geometry U. S. History June 27-July 3 English RLR World History 1 Algebra 2 July 6-12 Writing World History 2/ Earth Science July 13 Tutoring for SOL Tests July 16-19 SOL Writing Testing July 16-27 SOL Testing Students: 8:30 a.m. – 12:00 noon Teachers: 8:00 a.m. – 12:15 p.m.	None	Yes

LYNCHBURG CITY SCHOOLS: PROPOSED 2012 SUMMER PROGRAMS

Program	Students Served	Dates & Hours	Cost to Student	Transp. Provided?
Pre-Kindergarten	Children enrolled in LCS pre-K in the 10-11 school year and in need of additional instruction before enrolling in Kindergarten	June 25-July 26 (M-Th) *Attend July 6 (off July 4) (Teacher Workday, Friday, June 22) Students: 8:15 a.m. – 11:45 a.m. Teachers: 7:45 a.m. – 12:15 noon	None	Yes
Elementary Remedial Summer School	Students currently in grades K-5 who either (1) will be retained, or (2) need additional reading instruction	June 25-July 26 (M-Th) *Attend July 6 (off July 4) (Teacher Workday, Friday, June 22) Students: 8:15 a.m. – 11:45 a.m. Teachers: 7:45 a.m. – 12:15 noon	None	Yes
Middle School Remedial Summer School	Students currently in grades 6-8 who are required to complete a course successfully in order to be promoted	Registration-Tuesday, June 19, 2012 8:30a.m. – 5:30p.m. 1st Session June 25-July 10 (M-F) (Off Wed. July 4): Attend July 5 and 6 2nd Session July 11-July 25 (M-F) (Off Wed. July 4): Attend July 5 and 6 Students: 8:30 a.m. - 12:00 noon Teachers: 8:15 a.m. – 12:15 p.m.	None	Yes

<p>High School Remedial Summer School</p>	<p>Current 9th-12th grade students needing to repeat courses for credit</p>	<p>Registration-Tuesday, June 19, 2012 8:30a.m. – 5:30p.m.</p> <p>1st Session (semester 1) Thursday, June 25-July 10 (M-F) (Off July 4)</p> <p>2nd Session (semester 2) Friday, July 11-July 25 (M-F) (Wednesday, July 4, is a holiday) SOL Writing Test July 16-19 SOL Testing: July 16-July 27 Graduation: Friday, July 27</p> <p>Class Times (both sessions) Students: 1st class: 8:15 - 11:45 a.m. 2nd class: 12:15 - 3:45 p.m. Teachers: 1st class: 8:00 a.m. – 12:00 noon 2nd class: 12:00 p.m. – 4:00 p.m.</p>	<p>\$75.00 per semester class for city residents \$150.00 per semester class for non-city residents.</p>	<p>No</p>
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