



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

Lynchburg City School Board

Sharon Y. Carter
School Board District 2

James E. Coleman, Jr.
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Charleta F. Mason
School Board District 2

Susan D. Morrison
School Board District 1

Michael J. Nilles
School Board District 3

Derek L. Polley
School Board District 1

Kimberly A. Sinha
School Board District 2

Katie K. Snyder
School Board District 3

School Administration

Scott S. Brabrand
Superintendent

John C. McClain
Assistant Superintendent of
Student Learning and Success

Ben W. Copeland
Assistant Superintendent of
Operations and Administration

Anthony E. Beckles, Sr.
Chief Financial Officer

Wendie L. Sullivan
Clerk

Indya M. Page
Student Representative
Heritage High School

Sidney M. Marshall
Student Representative
E. C. Glass High School

SCHOOL BOARD MEETING
March 21, 2017 5:30 p.m.
School Administration Building
Board Room

A. PUBLIC COMMENTS

- 1. Public Comments
Scott S. Brabrand. Page 1
Discussion/Action (30 Minutes)

B. SPECIAL PRESENTATIONS

- 1. Update on Schools Denied Accreditation
Scott S. Brabrand.Page 2
Discussion

C. CONSENT AGENDA

- 1. School Board Meeting Minutes: March 7, 2017 (Closed Meeting)
March 7, 2017 (Public Budget Hearing)
March 7, 2017 (Regular Meeting)
- 2. Personnel Report
Marie F. Gee.Page 3
Discussion/Action
- 3. Capital Improvement Plan: William Marvin Bass
Elementary School
Ben W. Copeland. Page 5
Discussion/Action

D. STUDENT REPRESENTATIVE COMMENTS

E. SCHOOL BOARD COMMITTEE REPORTS

F. UNFINISHED BUSINESS

G. NEW BUSINESS

- 1. RFP 2017-030: LCS HR and Finance Software
Anthony E. Beckles, Sr. Page 6
Discussion

2. Lynchburg City School Board Policy Updates (VSBA) Ben W. Copeland.	Page 8
Discussion	
3. Policy JEC-R School Admission John C. McClain.	Page 37
Discussion	
4. School Board Policy 7-25: Promotion, Retention, Acceleration, and Course Changes John C. McClain.	Page 43
Discussion	
5. Policy KBEZ Internet Privacy Anthony E. Beckles, Sr.	Page 62
Discussion	

H. SUPERINTENDENT’S COMMENTS

I. BOARD COMMENTS

J. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, April 4, 2017, 5:30 p.m.,
Board Room, School Administration Building

K. ADJOURNMENT

Agenda Report

Date: 03/21/17

Agenda Number: A-1

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Public Comments

Summary/Description:

In accordance with Policy BDDH 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 superintendent recommends that the school board receive this agenda report as an informational item.

Agenda Report

Date: 03/21/17

Agenda Number: B-1

Attachments: No

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: Update on Schools Denied Accreditation

Summary/Description:

The school administration will provide information to the school board regarding the work in progress at Linkhorne Middle School and Thomas C. Miller Elementary School for Innovation, the two schools in the school division that were denied state accreditation this year.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 03/21/17

Agenda Number: C-2

Attachments: Yes

From: Scott S. Brabrand, Superintendent
Marie F. Gee, Director of Personnel

Subject: Personnel Report

Summary/Description:

The personnel recommendations for March 7 - 21, 2017, appear as an attachment to this agenda report.

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

Recommendation:

The superintendent recommends that the school board approve the personnel recommendations for March 7 -21, 2017.

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

Brown Brandon	Lynchburg College	BA (Lv. 2	2 yrs 4)	Sandusky Middle School Social Studies Teacher	03-21-2017
Charte Stephanie	Liberty University	BA (Lv. 1	1 yr 3)	Dunbar Middle School Math Teacher	04-21-2017
Lawton Christina	Liberty University	BA (Lv. 0	0 yrs 3)	Carl B. Hutcherson ELC ECSE	06-09-2017
Shortes Annette	Dallas Baptist University	BA (Lv. 5	5 yrs 3)	Dunbar Middle School Math Teacher	06-09-2017

RETIREMENTS:

Straw Catherine	Virginia University of	MED (Lv. 31	31 yrs 3)	Sandusky Elementary School Second Grade Teacher	06-09-2017
Murphy Brenda	Lynchburg College	BA (Lv. 20	20 yrs 3)	Linkhorne Middle School Social Studies Teacher	06-09-2017

Agenda Report

Date: 03/21/17

Agenda Number: C-3

Attachments: No

From: Scott S. Brabrand, Superintendent
Ben W. Copeland, Assistant Superintendent of Operations and Administration

Subject: Capital Improvement Plan: William Marvin Bass Elementary School

Summary/Description:

The capital improvement plan includes \$270,000 in construction funding for replacement of the William Marvin Bass Elementary School roof. The City of Lynchburg Office of Procurement and Purchasing has received bids on the project.

A total of six bids for the Bass roof replacement project was received. The school administration recommends AAR of North Carolina, Inc. based on their bid of \$189,900 which was the lowest bid. All bids received are listed below.

BIDDER	Roofing Solutions, Inc.	Craftsman Roofing, Inc.	AAR of North Carolina, Inc.	S.G. Young Contracting LLC	John T. Morgan Roofing &	Air Tech Solutions, Inc.
BID	\$195,500	\$199,500	\$189,900	\$199,987	\$209,600	\$308,000

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

The superintendent recommends that the school board enter into a contract with AAR of North Carolina, Inc. in the amount of \$189,900 to replace the roof at William Marvin Bass Elementary School.

Agenda Report

Date: 03/21/17

Agenda Number: G-1

Attachments: No

From: Scott S. Brabrand, Superintendent
Anthony E. Beckles, Sr., Chief Financial Officer

Subject: RFP 2017-030: LCS HR and Finance Software

Summary/Description:

RFP 2017-030 was issued on October 17, 2016, for a replacement HR and Finance software system. Five responses were received and reviewed.

	Vendor	Implementation Cost	Yearly Cost	Total Year 1
1	Weidenhammer – Alio	\$180,575	\$69,939	\$250,514
2	K12 Enterprise	\$358,500	\$81,140	\$466,640
3	Keystone	\$195,254	\$43,870	\$239,124
4	*SunGard – subscription model	\$86,390	\$108,879	* \$195,2690
5	*SunGard – license model	\$86,390	\$56,626	* \$143,016
6	Tyler	\$175,325	\$48,583	\$223,908

* Did not include travel and living expenses

The following rubric was used to select the top two vendors for an onsite demonstration:

1. The degree of functional match to LCS requirements - 25 percent
2. Experience working with K12 in Virginia - 20 percent
3. Offeror's capability and skills to perform the services required - 20 percent
4. Services to be provided by the offeror - 15 percent
5. Price - 10 percent
6. Ability to meet LCS timeline – 10 percent

K12 Enterprise and Weidenhammer Systems, Alio received the highest totals and were selected for an onsite demonstration of their product. After a full day for each product demonstration, Weidenhammer Systems, Alio was selected by 17 to 2 vote.

Agenda Report

Date: 03/21/17

Agenda Number: G-1

Attachments: No

The school administration recommends entering into a contract with Weidenhammer Systems Corporation in the amount of \$320,543. This will cover the implementation and first two years of support.

Disposition: Action
 Information
 Action at Meeting on: 04/04/17

Recommendation:

The superintendent recommends that the school board receive this agenda report as an Informational item and consider action at the meeting on April 4, 2017.

Agenda Report

Date: 03/21/17

Agenda Number: G-2

Attachments: Yes

From: Scott S. Brabrand, Superintendent
Ben W. Copeland, Assistant Superintendent of Operations and Administration

Subject: Lynchburg City School Board Policy Updates (VSBA)

Summary/Description:

Several policy revisions and one new policy were recently received from the Virginia School Boards Association (VSBA). Policy JOA Student Transcripts is a brand new VSBA policy which went into effect February 2017. These policies have been reviewed by legal counsel and reflect the latest changes in state and federal law. These policy revisions from the VSBA February 2017 update appear as attachments to the agenda report.

BBFA	Conflict of Interests and Disclosure of Economic Interests
IJ	Guidance and Counseling Program
JFCC	Student Conduct on School Buses
JO	Student Records
JOA	Student Transcripts (NEW)

Disposition: Action
 Information
 Action at Meeting on: 04/04/17

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 April 4, 2017.

CONFLICT OF INTERESTS AND DISCLOSURE OF ECONOMIC INTERESTS

A. Purpose

The Lynchburg 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 five principal areas of regulation applicable to board members, officers, and employees of the Lynchburg 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-subsidary relationship, that exists when

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

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

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

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

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

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

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

"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 or occupation 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 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; 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, or sister, step-parent, step-grandparent, step-grandchild, step-brother or step-sister or the donee's brother's or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's

principal as defined in Va. Code § 2.2-419; or (c) a person, organization or business who is a party to or is seeking to become a party to a contract with the School Board. For purposes of this definition, “person, organization, or business” includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

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

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

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

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

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

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

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

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

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

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

"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. This provision shall not be construed to prohibit 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 any member of the Board or Superintendent; 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. The School Board may employ or pay, and the Superintendent may recommend for employment, any family member of the Superintendent or 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. 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

~~Neither the School Board collectively, nor any~~ **{No}** member **{for employee}** of the board, shall

- solicit or accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her 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 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 own economic benefit, or anyone else's, confidential information gained by reason of his or her office, and which is not available to the public;
- accept any money, loan, gift, favor or service **{favor, service or business or professional opportunity}** that might reasonably tend **{reasonably tends}** to influence the discharge of duties **{him or her in the performance of his or her official duties}**;
- accept any business or professional opportunity ~~from which a School Board member may gain a financial benefit, where the member~~ **{when he or she}** knows or should know that there is a reasonable likelihood that the opportunity is

being offered with intent ~~{afforded him or her}~~ to influence his or her conduct in the performance of official ~~duties.~~ *{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 public office or employment for private gain; or*
- *use his or her 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 share a common interest, (ii) who are members of a public, civic, charitable or professional organization, (iii) who are from a particular industry or profession or (iv) 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 Lynchburg 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 ~~shall not be~~ *{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 ~~an officer~~ *{a School Board member}* or employee and ~~a governmental agency~~ *{the School Board}*, provided the ~~officer~~ *{Board member}* or employee does not participate in any way as ~~such officer~~ *{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 ~~governing body of the governmental agency or by the administrative head thereof~~ *{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 \$10,000 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-subsidiary 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 § 2.2-3115E 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 G;
 - 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 H; 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 for School Board Members

1. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is ~~specified on the Statement of Economic Interests form set forth in~~ **required on the form prescribed by the Council pursuant to** Va. Code § 2.2-3117 and thereafter file such statement ~~semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April~~ **annually on or before January 15**. 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. 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’s attorney or the Council bars prosecution for a knowing violation of the Act provided the opinion was made after a full disclosure of the facts. 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: June 4, 2013

Revised: December 16, 2014

Revised: May 22, 2015

Revised: August 18, 2015

Revised: April 19, 2016

Revised: July 12, 2016

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, 2.2-3119 and 2.2-3124.

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

GUIDANCE AND COUNSELING PROGRAM

School Guidance and Counseling Services

Each school provides the following guidance and counseling services to all students:

- Academic guidance which assists students and their parents to acquire knowledge of the curricula choices available to students, to plan a program of studies, to arrange and interpret academic testing and to seek post-secondary academic opportunities.
- Career guidance which helps students to acquire information and plan action about work, jobs, apprenticeships and post-secondary educational and career opportunities.
- Personal/social counseling which assists a student to develop an understanding of themselves, the rights and needs of others, how to resolve conflict and to define individual goals, reflecting their interests, abilities and aptitudes. Information and records of personal/social counseling will be kept confidential and separate from a student's educational records and not disclosed to third parties without prior parental consent or as otherwise provided by law. Parents may elect, by notifying their child's school in writing, to have their child not participate in personal/social counseling.

No student is required to participate in any counseling program to which the student's parents object.

The guidance and counseling program does not include the use of counseling techniques which are beyond the scope of the professional certification or training of counselors, including hypnosis, or other psychotherapeutic techniques that are normally employed in medical or clinical settings and focus on mental illness or psychopathology.

Parents are notified annually about the counseling programs which are available to their children. The notification will include the purpose and general description of the programs, information regarding ways parents may review materials to be used in guidance and counseling programs at their child's school and information about the procedures by which parents may limit their child's participation in such programs.

Employment Counseling and Placement Services

The School Board provides to secondary students employment counseling and placement services to furnish information relating to the employment opportunities available to students graduating from or leaving the schools in the school division. Such information includes all types of employment opportunities, including, but not limited to, apprenticeships, the military, career education schools and the teaching profession. In providing such services, the School Board consults and cooperates with the Virginia Employment Commission, the Department of Labor and Industry, local business and labor organizations and career schools.

{If the School Board provides access to one or more of its high schools and contact with such high school's student body or other contact with its high school students during a school or

school division-sponsored activity to persons or groups for occupational, professional or educational recruitment, it provides equal access on the same basis to official recruiting representatives of the military forces of the Commonwealth and the United States.

Academic and Career Plans

Schools develop a personal Academic and Career Plan for each seventh-grade student with completion by the fall of the student's eighth-grade year. Plans are developed for students who transfer from other than a Virginia public school into the eighth grade as soon as practicable following enrollment. Students who transfer into a Virginia public school after their eighth-grade year have an Academic and Career Plan developed upon enrollment.

The components of the Plan include, but are not limited to, the student's program of study for high school graduation and a postsecondary career pathway based on the student's academic and career interests.

The Academic and Career Plan 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(s) designated by the principal. The Plan is included in the student's record and is reviewed and updated, if necessary, before the student enters the ninth and eleventh grades. The school meets its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the Plan.}

Adopted: February 18, 2014
 Revised: May 6, 2014



Legal Refs.: Code of Virginia, 1950, as amended, §{***§ 22.1-130.1,***} 22.1-209.

{8 VAC 20-131-140.}

8 VAC 20-620-10.

Cross Ref.: IGAD Career and Technical Education
 JO Student Records

STUDENT CONDUCT ON SCHOOL BUSES

Students are required to conduct themselves on school buses in a manner consistent with established standards for classroom behavior.

The school principal may suspend or revoke the riding privileges of students and/or take other disciplinary actions for students who are disciplinary problems on the bus. Parents (or guardians) of children whose behavior and misconduct on school buses violates the Student Code of Conduct or otherwise endangers the health, safety and welfare of other riders shall be notified that their child/children face the loss of school bus riding privileges and/or other disciplinary actions.

If a student’s riding privileges are suspended or revoked, the student’s parents are responsible for seeing that the student gets to and from school safely.

The bus driver and/or bus assistant is responsible for maintaining the orderly behavior of students on school buses and shall report misconduct to the student's principal and provide a copy of the report to the transportation office.

Adopted: July 12, 2016

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-176, ~~22.1-181, 22.1-293(B), (D)~~ **{22.1-293}**.

Cross Refs.: **{CLA** ***Reporting Acts of Violence and Substance Abuse***
 EEA Student Transportation Services
 JFC Student Conduct
 JFC-R Standards of Student Conduct
{JFCD ***Weapons in School***
JGD/JGE ***Student Suspension/Expulsion***
JGDA ***Disciplining Students with Disabilities***
KGC ***Use of Tobacco and Electronic Cigarettes on School Premises***

STUDENT RECORDS

Generally

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

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

Definitions

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

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

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

Early childhood education program – a Head Start program or an Early Head Start program, a state licensed or regulated child care program, or a program that serves children from birth through age six that addresses the children's cognitive, social, emotional, and physical development and is a state prekindergarten program, a program under section 619 or Part C of

the Individuals with Disabilities Education Act, or a program operated by a local educational agency.

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

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

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

Eligible student - a student who has reached age 18.

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

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

Dissemination and Maintenance of Records About Court Proceedings

Adjudications

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

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

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

Petitions and Reports

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

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

to those students and school personnel having direct contact with the student and need of the information to ensure physical safety or the appropriate educational placement or other educational services.

- If the Superintendent believes that disclosure of information regarding a report received pursuant to Va. Code § 66-25.2:1 to school personnel is necessary to ensure the physical safety of the student, other students, or school personnel, he may disclose the information to the principal of the school in which the student is enrolled. The principal may further disseminate the information regarding such report only to school personnel as necessary to protect the student, the subject or subjects of the danger, other students, or school personnel.

Annual Notification

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

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

Procedure to Inspect Education Records

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

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

The principal (or appropriate school official) will make the needed arrangements for

access as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected.

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

Copies of Education Records

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

Fees for Copies of Records

The fee for official transcripts is \$3 each. There is a \$2 fee for each copy of information from student records for purposes other than transcripts. This includes information for the DMV and Social Security, and graduation verification for employment or a copy of the immunization record. For other than the above, the actual cost of copying time and postage will be charged. The Lynchburg City Schools does charge for search and retrieval of the records. The Lynchburg City Schools does not charge a fee for copying an Individualized Education Plan (IEP) or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Types, Locations, and Custodians of Education Records

The school maintains a scholastic record for each enrolled student, which is stored in a secure central location under the supervision of the principal of the school at which the student is enrolled, during enrollment and for up to one year after leaving the division. Records for students no longer enrolled are forwarded to the registrar in the School Administration Building.

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

Types	Location	Custodian
Directory Information	Individual School	Principal/Designee
Health Information	Individual School	Principal/Designee
Academic History/ Standardized Test Scores	Individual School	Principal/Designee
Student Discipline Information	Individual School	Principal/Designee
Attendance	Individual School	Principal/Designee
Special Education	Individual School	Principal/Designee

Disclosure of Education Records

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

1. To school officials who have a legitimate educational interest in the records.

~~A school official is:~~

- ~~• a person employed by the School Board~~
- ~~• a person appointed or elected to the School Board~~
- ~~• a person employed by or under contract to the School Board to perform a special task, such as an attorney, auditor, medical consultant, or therapist~~
- ~~• a contractor, consultant, volunteer, or other party to whom the school division has outsourced services or functions for which the school division would otherwise use employees and who is under the direct control of the school division with respect to the use and maintenance of education records~~

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

- ~~• performing a task that is specified in his or her position description or by a contract agreement~~
- ~~• performing a task related to a student's education~~
- ~~• performing a task related to the discipline of a student~~
- ~~• providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid~~

{A school official is a person employed by the division such as a teacher, teacher's aide, administrator, school nurse, counselor or support staff; a person serving on the School Board; a guidance counselor intern or psychologist intern; a student teacher; a person, organization or company with whom the division has contracted to perform an institutional service or function such as an attorney, auditor, consultant or therapist; or a third party website operator who has contracted with the division or its agent to provide online programs for the benefit of students.}

A school official has a legitimate educational interest if the official needs to review the student's education record in order to fulfill the school official's professional responsibility on behalf of the division.}

2. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. ~~If records or information are released under this provision, the student's parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.~~
3. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
4. In connection with a student's request for or receipt of financial aid as necessary to

- determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the pupil or by such pupil if the pupil is eighteen years of age or older.
 6. To organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The studies must be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information. The information must be destroyed when it is no longer needed for the purposes for which the study was conducted. The School Board must enter into a written agreement with the organization conducting the study which
 - specifies the purpose, scope, and duration of the study or studies and the information to be disclosed;
 - requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study stated in the written agreement;
 - requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and
 - requires the organization to destroy all personally identifiable information when the information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed.
 7. To accrediting organizations to carry out their functions.
 8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
 9. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
 10. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
 - the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
 - the parties to whom the division disclosed the information.

11. To an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan when such agency or organization is legally responsible for the care and protection of the student.
12. Directory information so designated by the school division.
13. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

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

Unauthorized Disclosure of Electronic Records

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

Disclosure to Federal Agencies

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

Disclosure of Information Relating to Home Instructed Students

Neither the Superintendent nor the School Board shall disclose to the Department of Education or any other person or entity outside of the local school division information that is provided by a parent or student to satisfy the requirements of Policy LBD Home Instruction or subdivision B 1 of Va. Code § [22.1-254](#). Nothing in this policy prohibits the Superintendent from notifying the Superintendent of Public Instruction of the number of students in the school division receiving home instruction.

Audit or Evaluation of Education Programs

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

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

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

Military Recruiters and Institutions of Higher Learning

The Lynchburg City Schools ~~will provide~~ *{provides}*, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings *{unless a parent or eligible student has submitted a written request that the student's name, address and telephone listing not be released without the prior written consent of the parent or eligible student}*.

~~A secondary school student or the parent of the student may request that the student's name, address, and telephone listing not be released without prior written parental consent. The school division will notify~~ *{notifies}* parents of the option to make a request and ~~will comply~~ *{complies}* with any request.

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

Record of Disclosure

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

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

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

Directory Information

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

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

Student directory information is defined to include the following:

- Student's name
- Names of student's parents or guardians
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Degrees, honors, and awards received
- The most recent educational agency or institution attended

- Classroom assignments and teachers

Correction of Education Records

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

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

~~High School Credit Bearing Courses Taken in Middle School~~

~~For any high school credit bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The School Board specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.~~

Confidentiality of HIV and Drug and Alcohol Treatment Records

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

Adopted: July 12, 2016

Legal Refs.: 18 U.S.C. §§ 2331, 2332b.
20 U.S.C. §§ 1232g, 7908.
42 U.S.C. § 290dd-2.

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

Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3804, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-254.1, 22.1-287, 22.1-287.01, 22.1-287.02, 22.1-287.1, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23-2.1:3, 32.1-36.1.

~~8 VAC 20-131-90.~~

Cross Refs.:	IJ	Guidance and Counseling Program
	JEC	School Admission
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JFC	Student Conduct
	JGDA	Disciplining Students with Disabilities
	JGD/JGE	Student Suspension/Expulsion
	JHCB	Student Immunizations
	JHCD	Administering Medicines to Students
	<i>{JOA</i>	<i>Student Transcripts}</i>
	KBA-R	Requests for Information
	KBC	Media Relations
	KNB	Reports of Missing Children
	KP	Parental Rights and Responsibilities
	LBD	Home Instruction
	LEB	Advanced/Alternative Courses for Credit

{STUDENT TRANSCRIPTS}

Generally

Secondary school transcripts contain information as specified by the Virginia Board of Education.

Test Record

The Superintendent is responsible for establishing a procedure by which parents, guardians or others with legal control of a student can elect in writing to have the student's test record excluded from the student transcript. The test record includes at least the highest score earned, if applicable, on college performance-related standardized tests such as SAT and ACT, excluding Standards of Learning (SOL) test scores.

High School Credit-Bearing Courses Taken in Middle School

For any high school credit-bearing course taken in middle school, parents may request that grades be omitted from the student's transcript and the student not earn high school credit for the course. The Superintendent specifies, by regulation, the deadline and procedure for making such a request. Notice of this provision is provided to parents.

Adopted:

Legal Refs.: 8 VAC 20-131-90.

8 VAC 20-160-30.

Cross Refs.: JO Student Records}

Agenda Report

Date: 03/21/17

Agenda Number: G-3

Attachments: Yes

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: Lynchburg City School Board Policy Updates (Admission and School Requests)

Summary/Description:

The school administration has reviewed policies and regulations relative to non-resident student admission, employee student tuition waivers, and attendance areas and recommends revisions and updates to JEC-R School Admission. The policy revisions appear as an attachment to this agenda report.

Disposition: Action
 Information
 Action at Meeting on: 04/04/17

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 April 4, 2017.

SCHOOL ADMISSION

No person is charged tuition for admission or enrollment in the Lynchburg City Schools, whether on a full-time or part-time basis, who is eligible for admission under Policies JEC School Admission or JECA Admission of Homeless Children. School officials do not inquire into the student's citizenship or B, C or D visa status in determining eligibility for tuition-free enrollment in the Lynchburg City Schools.

However, the school division may admit and charge tuition to a student who:

- A. Is a resident of the school division but not of school age;
- B. Is of school age and not a resident of Virginia but is temporarily living with a nonparent who resides within the school division;
- C. Is of school age and resides beyond the boundaries of Virginia but near thereto in a state or the District of Columbia which grants equal attendance privileges to residents of the Commonwealth;
- D. Is of school age and resides on a military or naval reservation located wholly or partly within the geographical boundaries of the school division, is not a domiciled resident of the Commonwealth of Virginia, and is a student for whom federal funds provided under Public Law 874 of 1950, commonly known as Impact Aid, fund less than 50 percent of the total per capita cost of education in Lynchburg City Schools exclusive of capital outlay and debt service; such students shall be eligible for interscholastic programs immediately upon enrollment, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or by direction of, the service member's commanding officer;
- E. Is of school age and attending a school in the division pursuant to a foreign student exchange program approved by the School Board;
- F. Is a resident of the Commonwealth but not of the school division (i.e. non-resident), except as provided in Policy JEC School Admission;
- G. Is of school age and was enrolled in a public school within the division as a domiciled resident of the Commonwealth, and has been 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, where such state or the District of Columbia is contiguous to the school division; or
- H. Is of school age and residing within the school division, and is enrolled in summer programs other than remediation required under Va. Code § 22.1-253:13.1, or is

enrolled in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

Eligibility for consideration does not signify acceptance of the admission application of a student. Each application for admission will be considered on an individual basis. The residency of persons in the above categories who reside in housing or temporary shelter, or on property located in multiple jurisdictions, shall be determined in the manner set forth in Policy JEC School Admission.

Foreign students in an F-1 immigration status or who obtain F-1 student visas are not admitted in the division's elementary schools or publicly funded adult education programs. Such students may be admitted, for a period up to twelve months, in the division's secondary schools only if they pre-pay the full, unsubsidized per capita cost of the education.

Non-Resident Students (unless the child of an employee)

Nonresident students will be admitted to Lynchburg City Schools 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.

Nonresident students are not eligible to apply 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, Early College Program, XLR8 (STEM) Academy, or the Central Virginia Governor's School for Science and Technology, and will be placed on a space-available basis. 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. **Requests for one of these programs are considered only if space is available after considering all applications of resident students.**

Nonresident students **who are already enrolled in one of these programs** enrolled in the division at the time this regulation is approved by the Board **may continue in that program.** ~~to be considered for one of the schools of innovation, the Gifted Opportunities Center, Central Virginia Governor's School for Science and Technology, Early College Program and XLR8 (STEM) Academy for the remainder of their enrollment at that level of schooling. For example, an elementary school student may be considered for an elementary school for innovation or the Gifted Opportunities Center until the student completes elementary school and a high school student may be considered for the high school programs throughout the duration of their high school years. However, a currently enrolled non-resident student in elementary or middle school would not be able to apply for a high school program (e.g. the Central Virginia Governor's School). The one exception to this is that a student currently enrolled in 5th grade at the time that the Board approves the regulation may be considered for the Paul Laurence Dunbar Middle School for Innovation if they have already applied, and may continue at Dunbar through 8th grade pursuant to the other procedures in this policy.~~

School Admission - Children of LCS Employees who are Residents of Lynchburg City

A parent or guardian who is a resident of the City of Lynchburg and an employee of the Lynchburg City Schools may enroll or request a transfer of their child to ~~another~~ a school in the division ~~other than the school zoned for their residence~~. Approval of any request is ~~discretionary~~ and based upon the ~~principal's recommendation and~~ availability of space in the ~~new~~ requested school ~~and a review of the student's attendance, behavior, and academic effort~~. School reassignments will be valid for a period of one year. Parent/guardian employees must reapply for consideration annually. ~~Transportation to the school outside of the zoned school is not provided.~~

~~Parent/guardian employees must insure that students maintain good attendance as well as consistently arrive and depart school according to the published hours of operation for schools. Reassignments may be revoked for students who experience issues related to truancy; including, but not limited to, excessive absences, tardies, or early dismissals, and repeated late pick-ups from school and the child/children may be required to attend the school serving the legal residence of the parent/guardian.~~

If the requested school is a School for Innovation, the parent would request admission for the student in the same manner as any parent who is not an employee and would not receive any preference over other resident students.

If the employee works at the requested school, the student may be admitted without regard to current available space. This also applies to Schools for Innovation.

School Admission – Children of LCS Employees Who are Not Residents of Lynchburg City

A parent or guardian who is not a resident of the City of Lynchburg but is an employee of the Lynchburg City Schools may request to enroll their child in a school in the division. Approval of any request is based upon the availability of space in the requested school and a review of the student's attendance, behavior, and academic effort. School reassignments will be valid for a period of one year. Parent/guardian employees must reapply for consideration annually. Transportation to the school is not provided.

The parent may not request to enroll in a School for Innovation except as space is available, as is described for a non-resident student whose parent is not an employee.

If the employee works at the requested school, the student may be admitted without regard to current available space. This also applies to Schools for Innovation.

There is no charge for a student who is a non-resident if the parent is an employee unless the student attends a program that requires extra costs (e.g. a School for Innovation) or receives additional services beyond the general education program.

Conditions for Removal of a Student from a Requested School

If a student is not meeting expectations for attendance, behavior, or academic effort, the school shall meet with the parent to collaboratively determine causes that could be addressed and establish a plan and expectations going forward. A written summary of this meeting, plan, and expectations shall be provided to the parent. If improvement is not made and expectations are not met, another meeting and summary should occur. If, after two meetings and written follow-ups the areas of concern did not improve to meet expectations, the principal may request that the student be removed from the school by contacting the Superintendent or designee. If the cause for concern is a significant behavior event, the principal may request removal immediately.

If a student is removed after the two meetings, the transition to the student's zoned school should occur to minimize the impact on the student, such as at the end of the school year when possible, and if not, preferably at a natural break during the school year. Additionally, communication with the receiving school should occur at the earliest possible time to facilitate a smooth transition. If the student is attending as a non-resident student, the student will no longer be allowed to attend an LCS school and the transition may occur sooner.

Procedure for Admission

The following procedure is followed for application and review of applications for admission of students who are not eligible for tuition-free enrollment.

A parent or guardian of a student shall apply for admission on behalf of the student by completing the division application. The application form contains information and agreements including, but not limited to:

- the current legal residence of the child and the school division in which the child is currently enrolled, if any;
- the child's unique student identification number, if any;
- the basis for requesting admission;
- the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the division; and,
- the agreement that the student is subject to all policies, regulations and guidelines of the school division, including the Code of Student Conduct.

During the period of time each year when applications are accepted, Superintendent's designee shall provide the applicant with written notification of the approval or denial of the application within 15 days of receipt of the applications, unless otherwise specified on the application. If the student is to be admitted, the Superintendent or Superintendent's designee shall notify the division which the student previously attended, if any, and make necessary arrangements for the transfer of student records. The notification of admission shall state the period for which the student is accepted and the subsequent conditions which could cause the acceptance to be terminated.

If the application is denied, the Superintendent's designee shall notify the parent or

guardian of the right to have the transfer reviewed by sending a written request to the Superintendent within seven calendar days. Applications denied based upon the student's suspension, expulsion or withdrawal of admission shall be reviewed in as provided in Policy JEC School Admission. For all other denials of admission, the Superintendent shall respond in writing to the request for review within 10 calendar days.

Tuition Rate

Tuition fees for nonresident students will be approved by the board each year. Additional tuition fees may be charged depending upon the program/services provided. 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. A refund for any unused tuition will be made if an enrolled nonresident student should withdraw during the school year.

Transportation

Transportation is not furnished to nonresident students except in those cases where:

- agreements between divisions specify transportation services;
- federal or state legislation mandates the provision of transportation services; or
- transportation services can be provided at no cost to the division.

Adopted: April 19, 2016

Legal Refs: 8 CFR 214.2.

Code of Virginia, 1950, as amended, §§ 22.1-3, 22.1-5 and 22.1-287.02.

1999 Va. Op. Atty. Gen. 105

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

Agenda Report

Date: 03/21/17

Agenda Number: G-4

Attachments: Yes

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent for Student Learning and Success

Subject: School Board Policy 7-25: Promotion, Retention, Acceleration, and Course Changes

Summary/Description:

The school administration proposes updates to School Board Policy 7-25: Promotion, Retention, Acceleration, and Course Changes to align with recent updates to the program of studies for high school and for middle school and to incorporate other necessary revisions that have occurred since the policy was last updated in 2007.

Disposition: Action
 Information
 Action at Meeting on: 04/04/17

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 April 4, 2017.

STUDENTS

Promotion, Retention, Acceleration, and Course Changes P 7-25A. Generally

The school board recognizes that the promotion, retention and acceleration of students are important school decisions based on the academic progress of the student.

The following criteria are established for the elementary, middle and high school levels.

B. Definitions

1. Promotion: Student successfully completes current year academic requirements and advances to next grade level.
2. Retention: Student fails to complete the current year academic requirements and remains in current grade level.
3. Acceleration: Student is provided opportunities to work above grade level when appropriate.

C. Elementary School (K-5)

1. Grades Pre-K-5 Promotion and Retention Process
 - a. **As part of the 2nd quarter report card, No later than the beginning of the second semester of each school year, parents of students who are not making satisfactory progress in major content areas (reading/math) will be informed by the classroom teacher that if significant progress is not made by May, the recommendation may will be to retain the student. The teacher shall reach out to the parent in advance of this notice to meet and offer support, and also shall seek to set up a meeting soon after the end of the 2nd quarter.**
 - b. **For students identified for possible retention, teachers shall create and implement an intervention plan that includes an invitation to extended day learning opportunities, where applicable.**
 - c. Teachers will work very closely with the principal when retention is being considered. A joint conference between the principal, teacher and parent will be held prior to **the school recommending the child to the division's Retention and Placement Committee.** ~~the final decisions regarding retention of the child.~~
 - d. All final retention and placement decisions shall be made by a committee consisting of ~~the teacher,~~ the principal, the **assistant** deputy superintendent, and

STUDENTS

Promotion, Retention, Acceleration (continued)

another Student Learning and Success staff member designated by the assistant superintendent. ~~the director for elementary education.~~

- e. ~~Principals shall inform the parent of the decision of the division's Retention and Placement Committee. Parents may appeal the decision to the superintendent or his designee. Students who have demonstrated marginal knowledge and skills as indicated by the Achievement Record/Promotion Guidelines, may attend summer school. If they meet specific attendance guidelines, pass end-of summer school tests, and demonstrate adequate academic progress, these factors will be considered in the final promotion/retention decision.~~
 - f. ~~The Individualized Education Program Committee will determine how identified students with disabilities will participate in summer programs. Participation in the summer programs referenced in this policy is distinctly different from, and more common than, participation in Extended School Year services.~~
 - g. ~~Students in grades three through five who do not pass any of the Standards of Learning assessments administered in their grade level shall be required to attend a summer school program or to participate in another form of remediation.~~
2. Criteria for Promotion and Retention

The following criteria will be considered in the promotion and retention decision:

- a. Academic achievement
- b. Attendance
- c. Previous retention
- d. Age
- e. Parent perspective

3. Acceleration

Students in elementary school will have opportunities for acceleration in reading and math within the classroom, as they are ready to move beyond the level of standards and/or reading level for that grade level. Additional opportunities for acceleration and enrichment occur in accordance with the division's plan for gifted services.

STUDENTS

Promotion, Retention, Acceleration (continued)D. Middle School

1. ~~Students in grade six must pass four courses. If the student is in advanced English, he must pass English and math, history and/or science, and/or one additional course. Non-advanced English students must pass both English courses (literature and writing) as well as math and either history or science.~~
 - a. ~~Students not promoted because they fail one or more core content courses must successfully complete the appropriate summer remediation courses to be considered for promotion.~~
 - b. ~~Any exceptions to the sixth grade promotion requirements will be made by a committee comprised of the middle school principal and the guidance counselor.~~
 - c. ~~Every effort should be made by the principal in scheduling students who have failed courses to insure that these students do not have to repeat the sixth grade courses they have already passed.~~
2. ~~Students in grades seven and eight must pass five of seven classes for promotion. Advanced English students must pass the four core academic subjects (English, math, science, and history) and one elective for promotion. Non-advanced English students must pass both English courses (literature and writing) as well as math, science, and social studies.~~
 - a. ~~If an advanced English student passes the four core courses but not an elective, the principal may use his/her discretion in promoting the student.~~
 - b. ~~Students who fail one or more core courses must pass these courses in a summer school program to be considered for promotion.~~
 - c. ~~Every effort should be made by the principal in scheduling students who have failed courses to insure that these students do not have to repeat the courses they have passed earlier.~~
3. ~~Any exceptions to the eighth grade promotion requirements will be made by a joint committee comprised of the middle school principal and guidance counselor, and the high school principal and guidance counselor.~~

~~The reasons prompting the committee to exercise these options must be documented~~

STUDENTS

Promotion, Retention, Acceleration (continued)

~~with one copy to be forwarded to the parents and a second placed in the student's scholastic record.~~

~~Except for these provisions, decisions regarding retention for seventh and eighth grade students are to be made by the middle school staff in consultation with the student's parents or guardian.~~

- ~~4. Students in grades six through eight who do not pass any of the Standards of Learning assessments administered in their grade level shall be required to attend a summer school program or to participate in another form of remediation.~~

Students in middle school are expected to pass each of the four core courses. A proactive approach should be in place to minimize the possibility that a student may fail a course by its conclusion.

If a student has a failing grade at the end of any quarter during the year, the school should meet with the parent/guardian and establish an intervention plan for the student to make progress and minimize the possibility of a failing grade for the course. The intervention plan should include support during intersession and at other times and the student should not participate in afterschool sports or activities unless also involved in tutoring support and making progress.

If a student does not pass a core course at the time of the end of the school year, the following apply:

1. Sixth and Seventh Grade

a. If the student fails only one core course:

- 1) If the course had an SOL and the student passed the SOL, the student may receive a passing grade for the course if the student adequately completes a summer assignment (provided by the school) no later than July 31. The student could also elect to enroll in summer school and pass the summer school course.
- 2) If the student did not have a passing SOL test for the course not passed, then the student must attend summer school. The student may receive a passing grade for the course if the student passes the summer school course and, if the course is English or math, must also pass a course proficiency assessment.
- 3) If the student did not attend summer school or did not pass the summer course and assessment, then the student must repeat the course during the next school year.

STUDENTS

Promotion, Retention, Acceleration (continued)

The student will be promoted to the next grade level, but must take the failed course in addition to the next year's courses. The course may require staying after school and working with a teacher until the course and proficiency test is passed.

b. If the student fails two core courses:

The student may be promoted to the next grade if the student is able to pass at least one of the courses during the summer (including the course and proficiency assessment, or the summer assignment if the student had passed the SOL). The student would then need to re-take the remaining failed course the next school year in addition to the next year's courses. Any remaining course may need to be taken during an after-school time, as described above.

c. If the student fails three core courses:

- 1) The student may be promoted to the next grade if the student is able to pass two courses during the summer (including the course and proficiency assessment, or the summer assignment if the student had passed the SOL). The student would then need to re-take the remaining failed course the next school year in addition to the next year's courses. Any remaining failed course may need to be taken during the after-school time, as described above.
- 2) If the student does not pass two courses such that only one course remains as failed, then the student will need to repeat the grade level and re-take all core courses at that grade level. If the student has already repeated a grade level and would be two years older than peers if the grade level was repeated, the student will instead be enrolled in an alternative school in order to provide ongoing support in a smaller environment.

d. If the student fails four core courses:

The student will need to repeat the grade level and re-take all core courses at that grade level. If the student has already repeated a grade level and would be two years older than peers if the grade level was repeated, the student will instead be enrolled in an alternative school in order to provide ongoing support in a smaller environment.

2. Eighth Grade

STUDENTS

Promotion, Retention, Acceleration (continued)

a. If the student fails only one core course:

- 1) If the course had an SOL and the student passed the SOL, the student may receive a passing grade for the course if the student adequately completes a summer assignment (provided by the school) no later than July 31. The student could also elect to enroll in summer school and pass the summer school course.
- 2) If the student did not have a passing SOL test for the course not passed, then the student must attend summer school. The student may receive a passing grade for the course if the student passes the summer school course and, if the course is English or math, must also pass a course proficiency assessment.

b. If the student fails more than one course or does not achieve a pass by the end of the summer for a single failed course:

The student will need to repeat 8th grade. If the student has already repeated a grade level and would be two years older than peers if the grade level was repeated, the student will instead be enrolled in an alternative school in order to provide ongoing support in a small environment.

c. If a student fails an elective:

The student may be promoted to the next grade but a conference with the student, parent/guardian, and counselor is required prior to the next school year.

E. High School

Credits Required for Promotion

The cumulative number of credits required for promotion are as follows:

9th to 10th	4
10th to 11th	9
11th to 12th	15

Refer to the "Program of Studies" for minimum graduation requirements from the Commonwealth of Virginia.

F. Determining ~~When a Course May Be Changed or Dropped and Implications for Grades~~ ~~Grades for a Student who Drops a Course Before the End of the Semester~~

STUDENTS

Promotion, Retention, Acceleration (continued)

~~All schedule changes must take place within the first three weeks of school. Any courses dropped within that time period will not be recorded on a student's report card or permanent record. Only in extreme cases, with permission of the principal, will a student be allowed to drop a course beyond this time period. In such cases, "F" will be recorded as the course grade.~~

1. If a student wishes to drop a course:

The student must request the course drop in writing no later than the interim of the first quarter of the course. Any requests beyond this time limit will be reviewed if there are unusual circumstances. The request will be reviewed and a decision made by the principal. An approval for dropping the course by the end of the first interim will result in the course being omitted from the student's transcript and report card. If the course is approved to be dropped at a later time, the course will be placed on the report card with a note indicating whether the student was passing or failing the course at the time it was dropped.

2. If a student wishes to change a course level:

This should be done no later than the end of the first quarter. To change the level of a required course, the student shall meet with the counselor to review implications of the change on graduation and other long-term plans. Various factors should be considered, including previous grades and achievement, current grades and achievement in other courses, and opportunities for additional support. After meeting with the counselor, a change in the course can be made with written approval of the principal or designee. The grade for the course for the year will be based on the grades and achievement in the new course.

3. In order for a course to be dropped or changed to a different level, the following two steps must occur:

- a. There should be evidence that the student has attempted to gain assistance, such as accessing tutoring that may be available.
- b. There should be a meeting that includes the student, parent, and counselor so that they can review implications for a course drop or change on graduation requirements and course planning

G. F. Scheduling Students for More Than One Required Course in the Same Subject Area

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Promotion, Retention, Acceleration (continued)

Sequential courses within a subject area (i.e., math, English, social studies, etc.) are normally to be taken one at a time and in the order presented in the "Program of Studies." An advanced student may, upon **written** approval from the school principal, however, take two courses within the same subject area concurrently each year after successfully completing his program of studies in grade nine. The advanced student will be limited to one subject area each year from which the two courses may be selected unless the superintendent or the superintendent's designee ~~grants a waiver to~~ **provides written approval** for this stipulation. A student who has failed a required subject will be permitted, pending the principal's approval, to repeat the course at the same time he is taking a second course in the same subject area.

H. ~~G.~~ Grades, Class Rank, and Credits Related to Repeating Courses Already Passed

Students shall be allowed to repeat a course already passed only upon **written** approval by the school principal.

For all repeat work, the grade earned shall be averaged with all grades (whether passing or failing) in determining the student's grade point average and class rank. All grades will also appear on the student's transcript. No additional core content or elective credit toward graduation will be awarded for repeated courses unless specifically noted in the current Lynchburg City Schools High School Program of Studies.

I. ~~H.~~ Exceptions

The decision of whether a student who has an Individualized Education Program is retained will be made by the Individualized Education Program committee.

J. ~~I.~~ Acceleration and Early Graduation

Graduation from high school in fewer than the normal four years is permitted. To graduate, the student must meet all the graduation requirements established by the local school board in accordance with the code of Virginia. ~~The superintendent or superintendent's designee shall approve the acceleration of students through the high school program of studies.~~

Legal Reference:

Code of Va., § 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives. ~~"A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each~~

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Promotion, Retention, Acceleration (continued)

~~student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.~~

~~B. The Board of Education shall establish educational objectives known as the Standards of Learning, which shall form the core of Virginia's educational program, and other educational objectives, which together are designed to ensure the development of the skills that are necessary for success in school and for preparation for life in the years beyond. At a minimum, the Board shall establish Standards of Learning for English, mathematics, science, and history and social science. The Standards of Learning shall not be construed to be regulations as defined in § [2.2-4001](#).~~

~~The Board shall seek to ensure that the Standards of Learning are consistent with a high-quality foundation educational program. The Standards of Learning shall include, but not be limited to, the basic skills of communication (listening, speaking, reading, and writing); computation and critical reasoning including problem solving and decision making; proficiency in the use of computers and related technology; and the skills to manage personal finances and to make sound financial decisions.~~

~~The English Standards of Learning for reading in kindergarten through grade three shall be based on components of effective reading instruction, to include, at a minimum, phonemic awareness, phonics, fluency, vocabulary development, and text comprehension.~~

~~The Standards of Learning in all subject areas shall be subject to regular review and revision to maintain rigor and to reflect a balance between content knowledge and the application of knowledge in preparation for eventual employment and lifelong learning. The Board of Education shall establish a regular schedule, in a manner it deems appropriate, for the review, and revision as may be necessary, of the Standards of Learning in all subject areas. Such review of each subject area shall occur at least once every seven years. Nothing in this section shall be construed to prohibit the Board from conducting such review and revision on a more frequent basis.~~

~~To provide appropriate opportunity for input from the general public, teachers, and local school boards, the Board of Education shall conduct public hearings prior to establishing revised Standards of Learning. Thirty days prior to conducting such hearings, the Board shall give notice of the date, time, and place of the hearings to all local school boards and any other persons requesting to be notified of the hearings and publish notice of its intention to revise the Standards of Learning in the Virginia Register of Regulations. Interested parties shall be given reasonable opportunity to be heard and present information prior to final adoption of any revisions of the Standards of Learning.~~

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Promotion, Retention, Acceleration (continued)

~~In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education, enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.~~

~~School boards shall implement the Standards of Learning or objectives specifically designed for their school divisions that are equivalent to or exceed the Board's requirements. Students shall be expected to achieve the educational objectives established by the school division at appropriate age or grade levels. The curriculum adopted by the local school division shall be aligned to the Standards of Learning.~~

~~The Board of Education shall include in the Standards of Learning for history and social science the study of contributions to society of diverse people. For the purposes of this subsection, "diverse" shall include consideration of disability, ethnicity, race, and gender.~~

~~With such funds as are made available for this purpose, the Board shall regularly review and revise the competencies for career and technical education programs to require the full integration of English, mathematics, science, and history and social science Standards of Learning. Career and technical education programs shall be aligned with industry and professional standard certifications, where they exist.~~

~~C. Local school boards shall develop and implement a program of instruction for grades K through 12 that is aligned to the Standards of Learning and meets or exceeds the requirements of the Board of Education. The program of instruction shall emphasize reading, writing, speaking, mathematical concepts and computations, proficiency in the use of computers and related technology, and scientific concepts and processes; essential skills and concepts of citizenship, including knowledge of Virginia history and world and United States history, economics, government, foreign languages, international cultures, health and physical education, environmental issues and geography necessary for responsible participation in American society and in the international community; fine arts, which may include, but need not be limited to, music and art, and practical arts; knowledge and skills needed to qualify for further education, gainful employment, or training in a career or technical field; and development of the ability to apply such skills and knowledge in preparation for eventual employment and lifelong learning and to achieve economic self-sufficiency.~~

~~Local school boards shall also develop and implement programs of prevention, intervention, or remediation for students who are educationally at risk including, but not limited to, those who fail to achieve a passing score on any Standards of Learning assessment in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs shall include components that are research-based.~~

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Promotion, Retention, Acceleration (continued)

~~Any student who achieves a passing score on one or more, but not all, of the Standards of Learning assessments for the relevant grade level in grades three through eight may be required to attend a remediation program.~~

~~Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § [22.1-254](#) and § [22.1254.01](#).~~

~~Remediation programs shall include, when applicable, a procedure for early identification of students who are at risk of failing the Standards of Learning assessments in grades three through eight or who fail an end-of-course test required for the award of a verified unit of credit. Such programs may also include summer school for all elementary and middle school grades and for all high school academic courses, as defined by regulations promulgated by the Board of Education, or other forms of remediation. Summer school remediation programs or other forms of remediation shall be chosen by the division superintendent to be appropriate to the academic needs of the student. Students who are required to attend such summer school programs or to participate in another form of remediation shall not be charged tuition by the school division.~~

~~The requirement for remediation may, however, be satisfied by the student's attendance in a program of prevention, intervention or remediation that has been selected by his parent, in consultation with the division superintendent or his designee, and is either (i) conducted by an accredited private school or (ii) a special program that has been determined to be comparable to the required public school remediation program by the division superintendent. The costs of such private school remediation program or other special remediation program shall be borne by the student's parent.~~

~~The Board of Education shall establish standards for full funding of summer remedial programs that shall include, but not be limited to, the minimum number of instructional hours or the equivalent thereof required for full funding and an assessment system designed to evaluate program effectiveness. Based on the number of students attending and the Commonwealth's share of the per pupil instructional costs, state funds shall be provided for the full cost of summer and other remediation programs as set forth in the appropriation act, provided such programs comply with such standards as shall be established by the Board, pursuant to § [22.1-199.2](#). D. Local school boards shall also implement the following:~~

- ~~1. Programs in grades K through three that emphasize developmentally appropriate learning to enhance success.~~
- ~~2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are researchbased.~~

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Promotion, Retention, Acceleration (continued)

3. ~~Career and technical education programs incorporated into the K through 12 curricula that include:
 - a. ~~Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;~~
 - b. ~~Career exploration opportunities in the middle school grades; and~~
 - c. ~~Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.~~~~
4. ~~Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.~~
5. ~~Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.~~
6. ~~Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.~~
7. ~~Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.~~
8. ~~A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.~~
9. ~~A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.~~
10. ~~Identification of students with limited English proficiency and enrollment of such students in~~

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Promotion, Retention, Acceleration (continued)

~~appropriate instructional programs.~~

- ~~11. Early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.~~
- ~~12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.~~
- ~~13. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.~~
- ~~14. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.~~

~~E. From such funds as may be appropriated or otherwise received for such purpose, there shall be established within the Department of Education a unit to (i) conduct evaluative studies; (ii) provide the resources and technical assistance to increase the capacity for school divisions to deliver quality instruction; and (iii) assist school divisions in implementing those programs and practices that will enhance pupil academic performance and improve family and community involvement in the public schools. Such unit shall identify and analyze effective instructional programs and practices and professional development initiatives; evaluate the success of programs encouraging parental and family involvement; assess changes in student outcomes prompted by family involvement; and collect and disseminate among school divisions information regarding effective instructional programs and practices, initiatives promoting family and community involvement, and potential funding and support sources. Such unit may also provide resources supporting professional development for administrators and teachers. In providing such information, resources, and other services to school divisions, the unit shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments."~~

~~(1988, cc. 645, 682; 1990, cc. 797, 820, 839; 1991, cc. 295, 304; 1992, cc. 132, 591; 1994, cc. 618, 790; 1996, cc. 163, 522; 1997, cc. 466, 828, 829; 1998, cc. 103, 602, 627, 800, 816, 902; 1999, cc. 377, 444, 445, 452, 461, 488, 552, 595, 994; 2000, cc. 504, 547, 653, 662, 677, 684, 710, 750, 867; 2001, c. 483; 2002, c. 837; 2003, cc. 690, 697, 714, 861; 2004, cc. 404, 848, 939, 955; 2005, cc. 331, 450; 2007, c. 234.)~~

~~Code of Va., § 22.1-253.13:3. Standard 3. Accreditation, other standards and evaluation. "A. The Board of Education shall promulgate regulations establishing standards for accreditation pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), which shall include, but not be limited to, student outcome measures, requirements and guidelines for instructional programs and for the integration of educational technology into such instructional programs, administrative and instructional staffing levels and positions, including staff positions for supporting educational technology, student services, auxiliary education programs such as library and media services, course and credit requirements for~~

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Promotion, Retention, Acceleration (continued)

~~graduation from high school, community relations, and the philosophy, goals, and objectives of public education in Virginia.~~

~~The Board shall review annually the accreditation status of all schools in the Commonwealth.~~

~~Each local school board shall maintain schools that are fully accredited pursuant to the standards for accreditation as prescribed by the Board of Education. Each local school board shall review the accreditation status of all schools in the local school division annually in public session. Within the time specified by the Board of Education, each school board shall submit corrective action plans for any schools within its school division that have been designated as not meeting the standards as approved by the Board.~~

~~When the Board of Education has obtained evidence through the school academic review process that the failure of schools within a division to achieve full accreditation status is related to division level failure to implement the Standards of Quality, the Board may require a division level academic review. After the conduct of such review and within the time specified by the Board of Education, each school board shall submit for approval by the Board a corrective action plan, consistent with criteria established by the Board and setting forth specific actions and a schedule designed to ensure that schools within its school division achieve full accreditation status. Such corrective action plans shall be part of the relevant school division's comprehensive plan pursuant to § [22.1-253.13:6](#).~~

~~With such funds as are appropriated or otherwise received for this purpose, the Board shall adopt and implement an academic review process, to be conducted by the Department of Education, to assist schools that are accredited with warning. The Department shall forward a report of each academic review to the relevant local school board, and such school board shall report the results of such academic review and the required annual progress reports in public session. The local school board shall implement any actions identified through the academic review and utilize them for improvement planning.~~

B. ~~The Superintendent of Public Instruction shall develop and the Board of Education shall approve criteria for determining and recognizing educational performance in the Commonwealth's public school divisions and schools. Such criteria, when approved, shall become an integral part of the accreditation process and shall include student outcome measurements. The Superintendent of Public Instruction shall annually identify to the Board those school divisions and schools that exceed or do not meet the approved criteria. Such identification shall include an analysis of the strengths and weaknesses of public education programs in the various school divisions in Virginia and recommendations to the General Assembly for further enhancing student learning uniformly across the Commonwealth. In recognizing educational performance in the school divisions, the Board shall include consideration of special school division accomplishments, such as numbers of dual enrollments and students in Advanced Placement and International Baccalaureate courses, and participation in academic year Governor's Schools.~~

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~~The Superintendent of Public Instruction shall assist local school boards in the implementation of action plans for increasing educational performance in those school divisions and schools that are identified as not meeting the approved criteria. The Superintendent of Public Instruction shall monitor the implementation of and report to the Board of Education on the effectiveness of the corrective actions taken to improve the educational performance in such school divisions and schools.~~

C. ~~With such funds as are available for this purpose, the Board of Education shall prescribe assessment methods to determine the level of achievement of the Standards of Learning objectives by all students. Such assessments shall evaluate knowledge, application of knowledge, critical thinking, and skills related to the Standards of Learning being assessed. The Board shall (i) in consultation with the chairpersons of the eight regional superintendents' study groups, establish a timetable for administering the Standards of Learning assessments to ensure genuine end-of-course and end-of-grade testing and (ii) with the assistance of independent testing experts, conduct a regular analysis and validation process for these assessments.~~

~~In prescribing such Standards of Learning assessments, the Board shall provide local school boards the option of administering tests for United States History to 1877, United States History: 1877 to the Present, and Civics and Economics. The last administration of the cumulative grade eight history test will be during the 2007-2008 academic school year. Beginning with the 2008-2009 academic year, all school divisions shall administer the United States History to 1877, United States History: 1877 to the Present, and Civics and Economics tests.~~

~~The Board of Education shall make publicly available such assessments in a timely manner and as soon as practicable following the administration of such tests, so long as the release of such assessments does not compromise test security or deplete the bank of assessment questions necessary to construct subsequent tests, or limit the ability to test students on demand and provide immediate results in the web-based assessment system.~~

~~The Board shall include in the student outcome measures that are required by the Standards for Accreditation end-of-course or end-of-grade tests for various grade levels and classes, as determined by the Board, in accordance with the Standards of Learning. These Standards of Learning assessments shall include, but need not be limited to, end-of-course or end-of-grade tests for English, mathematics, science, and history and social science.~~

~~In addition, to assess the educational progress of students, the Board of Education shall (i) develop appropriate assessments, which may include criterion-referenced tests and alternative assessment instruments that may be used by classroom teachers and (ii) prescribe and provide measures, which may include nationally normed tests to be used to identify students who score in the bottom quartile at selected grade levels.~~

~~The Standard of Learning requirements, including all related assessments, shall be waived for any student awarded a scholarship under the Brown v. Board of Education Scholarship Program,~~

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~~pursuant to § [30-231.2](#), who is enrolled in a preparation program for the General Education Development (GED) certificate or in an adult basic education program to obtain the high school diploma.~~

~~The Board of Education may adopt special provisions related to the administration and use of any SOL test or tests in a content area as applied to accreditation ratings for any period during which the SOL content or assessments in that area are being revised and phased in. Prior to statewide administration of such tests, the Board of Education shall provide notice to local school boards regarding such special provisions.~~

~~D. The Board of Education may pursue all available civil remedies pursuant to § [22.119.1](#) or administrative action pursuant to § [22.1-292.1](#) for breaches in test security and unauthorized alteration of test materials or test results.~~

~~The Board may initiate or cause to be initiated a review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests.~~

~~Records and other information furnished to or prepared by the Board during the conduct of a review or investigation may be withheld pursuant to subdivision 12 of § [2.2-3705.3](#). However, this section shall not prohibit the disclosure of records to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board. Any local school board or division superintendent receiving such records or other information shall, upon taking personnel action against a relevant employee, place copies of such records or information relating to the specific employee in such person's personnel file.~~

~~Notwithstanding any other provision of state law, no test or examination authorized by this section, including the Standards of Learning assessments, shall be released or required to be released as minimum competency tests, if, in the judgment of the Board, such release would breach the security of such test or examination or deplete the bank of questions necessary to construct future secure tests.~~

~~E. With such funds as may be appropriated, the Board of Education may provide, through an agreement with vendors having the technical capacity and expertise to provide computerized tests and assessments, and test construction, analysis, and security, for (i) web-based computerized tests and assessments for the evaluation of student progress during and after remediation and (ii) the development of a remediation item bank directly related to the Standards of Learning.~~

~~F. To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments and other relevant data to~~

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~~evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to all students for grade levels and courses identified by the Board of Education, which may include criterion-referenced tests, teacher-made tests and alternative assessment instruments and shall include the Standards of Learning Assessments and the National Assessment of Educational Progress state-by-state assessment. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, if administered, industry certification examinations, and the Standards of Learning Assessments to the public.~~

~~The Board of Education shall not require administration of the Stanford Achievement Test Series, Ninth Edition (Stanford Nine) assessment, except as may be selected to facilitate compliance with the requirements for home instruction pursuant to § [22.1254.1](#).~~

~~The Board shall include requirements for the reporting of the Standards of Learning assessment scores and averages for each year as part of the Board's requirements relating to the School Performance Report Card. Such scores shall be disaggregated for each school by student subgroups on the Virginia assessment program as appropriate and shall be reported to the public within three months of their receipt. These reports (i) shall be posted on the portion of the Department of Education's website relating to the School Performance Report Card, in a format and in a manner that allows year-to-year comparisons, and (ii) may include the National Assessment of Educational Progress state-by-state assessment.~~

G. ~~Each local school division superintendent shall regularly review the division's submission of data and reports required by state and federal law and regulations to ensure that all information is accurate and submitted in a timely fashion. The Superintendent of Public Instruction shall provide a list of the required reports and data to division superintendents annually. The status of compliance with this requirement shall be included in the Board of Education's annual report to the Governor and the General Assembly as required by § [22.1-18](#)."~~

~~(1988, cc. 645, 682; 1990, cc. 820, 839; 1992, c. 591; 1998, cc. 456, 567, 602, 627, 843, 902; 1999, cc. 670, 731, 1015; 2000, cc. 504, 735, 742, 750, 752, 867, 1061; 2001, cc. 651, 731; 2002, cc. 101, 167, 656, 732; 2003, cc. 691, 1004; 2004, cc. 472, 939, 955, 965; 2005, cc. 331, 450, 753, 834; 2006, cc. 25, 38, 95, 117, 131; 2007, c. 234.)~~

Editor's Note

~~For grade placement of transfers into grades 9 through 12 see legal reference to school board policy # 7-28.~~

Adopted by School Board: March 20, 1979
 Revised by School Board: November 2, 1982
 Revised by School Board: September 18, 1984

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- Revised by School Board: January 15, 1985
- Revised by School Board: September 3, 1985
- Revised by School Board: August 9, 1988
- Revised by School Board: August 1, 1989
- Revised by School Board: June 18, 1991
- Revised by School Board: October 2, 1995
- Revised by School Board: June 4, 1996
- Revised by School Board: September 5, 2000
- Revised by School Board: November 21, 2000
- Revised by School Board: April 24, 2001
- Revised by School Board: March 16, 2004
- Revised by School Board: January 16, 2007
- Revised by School Board: December 4, 2007

Agenda Report

Date: 03/21/17

Agenda Number: G-5

Attachments: Yes

From: Scott S. Brabrand, Superintendent
Anthony E. Beckles, Sr., Chief Financial Officer

Subject: Policy KBEZ Internet Privacy

Summary/Description:

The State of Virginia requires that every school division with an Internet website make its Internet privacy policy statement conspicuously available on its website. The statement should address things such as what information is collected, whether a “cookie” is placed on the user’s computer and for what purpose, and how the collected information is or will be used.

Currently, Lynchburg City Schools does not have an Internet privacy policy. Therefore, the school administration proposes the attached Policy KBEZ Internet Privacy for review.

Disposition: Action
 Information
 Action at Meeting on: 04/04/17

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 April 4, 2017.

INTERNET PRIVACY

The Lynchburg City School Board is committed to complying with the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act. The Lynchburg City School Board does not collect unnecessary personal information by means of its website, and collects only appropriate personal information to the extent necessary to serve its constituents and the community.

The School Board informs the public of any personal information collected through its website by posting the following privacy statement or a link to this privacy statement in a conspicuous fashion at the top of the website home page:

Lynchburg City School Board Internet Privacy Policy Statement

The following information explains the Internet Privacy Policy, which the Lynchburg City School Board has adopted for its website. The following is intended to explain our current Internet privacy practices, but shall not be construed as a contractual promise. We reserve the right to amend our Internet Privacy Policy Statement at any time without notice.

Virginia law

We protect our records in accordance with our obligations as defined by applicable Virginia statutes, including, but not limited to, Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act and by any applicable federal laws.

Links to other websites

Our website may contain links to other public or private entities' websites, whose privacy practices we do not control.

Information we collect

When you access our website, the routing information, and the essential and nonessential technical information listed below, is automatically collected. No other information is collected through our website except when you deliberately decide to send it to us (for example, by clicking on a link to send us an e-mail). The information you might choose to send us is listed below as "optional information."

Routing information: the Internet domain and Internet address of the computer you are using.

Essential technical information: identification of the page or service you are requesting, type of browser and operating system you are using and the date and time of access.

Nonessential technical information: the Internet address of the website from which you linked directly to our website.

Optional information: when you send us an e-mail, your name, e-mail address, and the content of your e-mail, and/or when you fill out online forms, all the data you choose to fill in or confirm.

Cookies:

Our website places “cookies” on your computer unless your browser is set to reject cookies. The cookies enable our website to recognize you when you return to the website at a later date or time and enable us to personalize the website with preferences or information you have provided during prior sessions. The cookie information placed on your computer could include the following: IP address, browser type, operating system, the date and time, whether or not you have visited our website before, where you went while visiting our website, whether or not JavaScript is enabled, and any preferences or customization that you might have set.

How the collected information is used

Routing information is used to route the requested web page to your computer for viewing. We send the requested web page and the routing information to our Internet Service Provider (ISP) or other entities involved in transmitting the requested page to you. We do not control the privacy practices of those entities. Essential and nonessential technical information helps us respond to your request in an appropriate format, or in a personalized manner and helps us plan website improvement.

Optional information enables us to provide services or information tailored more specifically to your needs or to forward your message or inquiry to another entity that is better able to do so, and also allows us to plan website improvements.

We may keep your information indefinitely, but we ordinarily delete the routing information from our computer within 30 days after the web page is transmitted and do not try to obtain any information to link it to the individuals who browse our website. We use this routing information primarily in a statistical summary type format to assess site content and server performance. We may share this summary information with our business partners when needed.

However, on rare occasions when a “hacker” attempts to breach computer security, logs of routing information are retained to permit a security investigation and in such cases may be forwarded together with any other relevant information in our possession to the appropriate law enforcement agency.

Optional information is retained in accordance with the Records Retention Schedules promulgated by the Library of Virginia.

Under the Freedom of Information Act, any records in our possession at the time of a request for information, including the collection of logs and data of a website, may be subject to being inspected by or disclosed to members of the public for any purpose.

Choice to provide information

There is no legal requirement for you to provide any information at our website. However, our website will not work without routing information and the essential technical information. Failure of your browser to provide nonessential technical information will not prevent your use of our website but may prevent certain features from working. Failure to provide optional information may mean that the particular feature or service associated with that part of the web page will not be available to you.

Comments or review

If you have questions about this privacy statement or the practices of this website or if you choose to review or correct any information, please contact us at lcswebmaster@lcsedu.net.

Adopted:

Legal Refs: Code of Virginia, 1950, as amended, § 2.2-3803(B).