



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

Lynchburg City School Board

Mary Ann H. Barker, Chairman
School Board District 1

Thomas H. Webb, Vice Chairman
School Board District 2

Keith R. Anderson
School Board District 2

Albert L. Billingsly
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Darin L. Gerdes
School Board District 2

Ingrid M. Hamlett
School Board District 3

Treney L. Tweedy
School Board District 3

Charles B. White
School Board District 1

School Administration

Paul McKendrick
Superintendent

Stephen C. Smith
Assistant Superintendent of
Curriculum and Instruction

Edward R. Witt, Jr.
Assistant Superintendent of
Operations and Administration

Beverly A. Padgett
Chief Financial Officer

Wendie L. Sullivan
Clerk

SCHOOL BOARD MEETING
May 4, 2010 5:30 p.m.
School Administration Building
Board Room

A. CLOSED MEETING

1. Notice of Closed Meeting
Paul McKendrick.Page 1
Discussion/Action
2. Certification of Closed Meeting
Paul McKendrick.Page 2
Discussion/Action

B. PUBLIC COMMENTS

1. Public Comments
Paul McKendrick.Page 3
Discussion (30 Minutes)

C. SPECIAL PRESENTATION

1. Teacher of the Year: 2010-11
Paul McKendrick.Page 4
Discussion
2. Lynchburg City Schools' Education Foundation, Inc.
Paul McKendrick.Page 5
Discussion

D. CONSENT AGENDA

1. Personnel Report
Billie Kay Wingfield.Page 6
Discussion/Action
2. Administrative Regulation 6-59: Student Examinations
Stephen C. Smith.Page 8
Discussion/Action

E. STUDENT REPRESENTATIVE COMMENTS

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. Budget Adjustment: Virginia Incentive Program for
Speech-Language Pathologists (VIP-SLP)
Beverly A. Padgett Page 10
Discussion/Action

2. Special Education Annual Plan/Part B Flow-through
Application and Section 619 Preschool Grant
Applications: 2010-11
Stephen C. Smith. Page 11
Discussion

3. Administrative Regulation 5-47: Family and Medical
Leave
Edward R. Witt, Jr. Page 67
Discussion

4. School Board Policy 6-48: Acceptable Use Policy for
School Division Technology Resources (AUP)
Stephen C. Smith. Page 88
Discussion

5. Administrative Regulation 6-48: Acceptable Use of
School Division Technology Resources
Stephen C. Smith. Page 94
Discussion

6. Administrative Regulation 6-58: Secondary Student
Evaluation and Grading Procedures
Stephen C. Smith. Page 99
Discussion

7. Annual Personnel Report
Paul McKendrick. Page 104
Discussion/Action

H. SUPERINTENDENT’S COMMENTS

I. BOARD COMMENTS

J. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, May 18, 2010, 5:30 p.m.
Board Room, School Administration Building

K. CLOSED MEETING

- 1. Notice of Closed Meeting
Paul McKendrick.Page 130
Discussion/Action

- 2. Certification of Closed Meeting
Paul McKendrick.Page 131
Discussion/Action

L. ADJOURNMENT

Agenda Report

Date: 05/04/10

Agenda Number: A-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Notice of Closed Meeting

Summary/Description:

Pursuant to the Code of Virginia §2.2-3711 (A) (1), the school board needs to convene a closed meeting for the purpose of discussing the following specific matters:

Personnel Matter

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

Recommendation:

The superintendent recommends that the school board approve a motion to enter into Closed Meeting in accordance with the Code of Virginia §2.2-3711 (A) (1) for the purpose of considering a personnel matter.

Agenda Report

Date: 05/04/10

Agenda Number: A-2

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Certification of Closed Meeting

Summary/Description:

The Lynchburg City School Board certifies that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in a closed meeting and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

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

Recommendation:

The superintendent recommends that the school board approve the Certification of Closed Meeting in accordance with the Code of Virginia §2.2-3712(D).

Agenda Report

Date: 05/04/10

Agenda Number: B-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Public Comments

Summary/Description:

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

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 05/04/10

Agenda Number: C-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Teacher of the Year: 2010-11

Summary/Description:

The goal of the Virginia Teacher of the Year program is to recognize dedicated, knowledgeable, and skilled teachers at the local, regional, and state level.

To select the Lynchburg City Schools' Teacher of the Year, the school division used a nomination process whereby school staffs, principals, or school division administrators nominated teachers for this honor. A team composed of a parent, a school board member, a past Teacher of the Year recipient and central office staff then interviewed the nominated teachers.

The team gave special consideration for the following characteristics: experience in the school division and in the field of teaching, professional development activities, classroom performances, membership in professional organizations, and community involvement.

Dr. Merle P. Herndon, director of professional development and school business partnerships, will introduce the Lynchburg City Schools' Teacher of the Year for the 2010-11 school year during this presentation.

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: 05/04/10

Agenda Number: C-2

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Lynchburg City Schools' Education Foundation, Inc.

Summary/Description:

In March 2010, Mrs. Jodi K. Gillette assumed the role as director of the Lynchburg City Schools' Education Foundation, Inc. During this presentation, the school administration will introduce Mrs. Gillette to the school board.

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: 05/04/10

Agenda Number: D-1

Attachments: Yes

From: Paul McKendrick, Superintendent
Billie Kay Wingfield, Director of Personnel

Subject: Personnel Report

Summary/Description:

The personnel recommendations for April 13 – May 4, 2010, 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 April 13 – May 4, 2010.

| NAME | COLLEGE | DEGREE/ EXPERIENCE | SCHOOL/ ASSIGNMENT | EFFECTIVE DATE |
|--------------------------|---------------------------|-------------------------------|---|---------------------------|
| RESIGNATIONS: | | | | |
| Hughes, Diana F. | ODU | B.S./10 yrs (Lv. 9 3) | Heritage High School English Teacher | 04/13/10 |
| Preston, Stannard H. | Duke | M.A./5 yrs (Lv. 4 3) | Heritage High School English Teacher | 06/12/10 |
| Shade, Mary S. | Liberty University | Ed.S/24 yrs (Lv. 23 3) | Perrymont Elementary Fifth Grade Teacher | 06/12/10 |
| Tuminaro, Phillip D. | Liberty University | B.A./2 yrs (Lv. 1 4) | Dunbar Middle School English Teacher | 05/11/10 |
| RETIREMENTS: | | | | |
| Cole, Linda J. | Lynchburg College | M.Ed./18 yrs (Lv.10 3) | Pride Center Director for Adult/Alt. Education | 07/31/10 |
| James, Armelia H. | University of Virginia | M.Ed./36 yrs (Lv.30 1) | T. C. Miller Fifth Grade Teacher | 06/12/10 |
| Loflin, Faye T. | Lynchburg College | B.A./37 yrs (Lv. 30 3) | Dunbar Middle School English Teacher | 06/12/10 |
| Monroe, Calvin C.,Jr. | Trade & Industrial | N/A/29 yrs (Lv. 28 4) | E. C. Glass VOC-Trade & Industrial Ed. | 06/18/10 |
| Moody, Barbara S. | University Delaware | B.A./29 yrs (Lv. 28 3) | T C Miller Art Teacher | 06/12/10 |
| Roberts, JoAnn B. | Lynchburg College | M.Ed./33 yrs (Lv. 30 3) | Linkhorne Middle School Librarian | 06/25/10 |

Agenda Report

Date: 05/04/10

Agenda Number: D-2

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: Administrative Regulation 6-59: Student Examinations

Summary/Description:

On March 23, 2010, the school board approved the Lynchburg City Schools academic calendar for 2010-11. The approved academic calendar includes the following changes:

- 1) the replacement of the optional first-period with a seven-period high school day
- 2) the removal of the current high school exam structure
- 3) the addition of study halls and repeat courses in high school
- 4) the addition of a senior early dismissal option
- 5) the addition of elementary early dismissal days at the end of each six-weeks
- 6) the removal of seven work and professional development days
- 7) the lengthening of the winter break
- 8) a spring break the week prior to Easter
- 9) an earlier last day of instruction, May 27, 2011
- 10) graduation on the afternoon on Sunday, May 29, 2011

Given the removal of the current high school exam structure (item two), the school administration recommends the deletion of Administrative Regulation 6-59: Student Examinations.

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

Recommendation:

The superintendent recommends that the school board approve the deletion of Administrative Regulation 6-59: Student Examinations.

INSTRUCTION

Student Examinations

~~Students taking courses for high school credit, including eighth graders at the middle school, are expected to take exams during the scheduled exam period. Family plans should be arranged around exams in order to ensure the integrity of the exams and allow students to take advantage of review periods. Under extenuating circumstances, parents may request in writing to the principal that an exam be administered at another time. The principal will review each request on an individual basis. If the request is approved, students normally will be expected to make up the exam after the exam period. An exam administered after the scheduled exam period may be different from the regular exam.~~

~~Approved by Superintendent: March 5, 1996~~

~~Deleted by the School Board:~~

Agenda Report

Date: 05/04/10

Agenda Number: G-1

Attachments: No

From: Paul McKendrick, Superintendent
Beverly A. Padgett, Chief Financial Officer

Subject: Budget Adjustment – Virginia Incentive Program for Speech-Language Pathologists (VIP-SLP)

Summary/Description:

Lynchburg City Schools receives flow-through funds from the Virginia Department of Education (VDOE) for Special Education Federal Program Part B for Virginia Incentive Program for Speech-Language Pathologists (VIP-SLP).

The Virginia Department of Education notified the Lynchburg City Schools of the grant award in the amount of \$3,000.

This amount was not included in the 2009-10 operating budget and results in an increase to the Lynchburg City Schools operating fund budget of \$3,000.

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

Recommendation:

The superintendent recommends that the school board approve the increase in the operating fund budget of \$3,000.

Agenda Report

Date: 05/04/10

Agenda Number: G-2

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: Special Education Annual Plan/Part B Flow-through Application and Section 619 Preschool Grant Applications 2010–2011

Summary/Description:

The Special Education Annual Plan is a formal agreement between the local school board and the Virginia Board of Education for the implementation of state and federal laws and regulations related to services mandated for students with disabilities. Accordingly, the disbursement of funds to the school division is contingent upon school board approval of the plan. The Virginia Department of Education has advised school divisions to anticipate level funding for the Flow-through and 619 Preschool grants.

Therefore, Lynchburg City Schools will apply for \$2,166,383 in special education Flow-through funds for the 2010-11 school year. The application for funds for the 2010-11 school year must be approved by the school board and submitted to the Virginia Department of Education for plan approval and financial reimbursement. Funds provide salaries and staff development activities focused on addressing the unique needs of students with disabilities, and \$16,000 will be used to provide autism spectrum disorder consultations for teachers.

The Lynchburg City Schools will also apply for \$62,153 in Section 619 Preschool funds for the 2010-11 school year. This funding will be used to support the Hutcherson Early Learning Program as it provides special education and related services to preschool children (ages 2-5) who have been determined eligible for special education services. Funds provide adaptive equipment, computers, diagnostic services, inclusion support, salaries, instructional materials, teacher stipends, and child-find activities.

Disposition: Action
 Information
 Action at Meeting on: 05/18/10

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 May 18, 2010.

Agenda Report

Date: 05/18/10

Agenda Number: G-3

Attachments: Yes

From: Paul McKendrick, Superintendent
Edward R. Witt, Jr., Assistant Superintendent of Operations and Administration

Subject: Administrative Regulation 5-47: Family and Medical Leave

Summary/Description:

The school board approved revisions to School Board Policy 5-47: Family and Medical Leave on September 15, 2009. Administrative Regulation 5-47: Family and Medical Leave also needs revision to reflect current federal regulations and guidelines. Therefore, the attached administrative regulation, which is based on Virginia School Boards Association policy, reflects changes to the United States Department of Labor Family and Medical Leave Act of 1993 and the Family and Medical Leave Act Military Family Leave Entitlements.

Disposition: Action
 Information
 Action at Meeting on: 05/18/10

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 May 18, 2010.

PERSONNEL

Family and Medical Leave R 5-47**A. Generally**

~~To the extent the Family and Medical Leave Act of 1993 provides leave opportunities to eligible employees, Lynchburg City Schools will comply with the Act by supplementing its existing sick leave (P5-38), vacation (P5-43), and personal leave (P5-40) provisions.~~

~~As specified in policy, family medical leave can be time away from employment with full pay or with pay minus standard deduction. Full pay will be received when the sick leave policy allows accrued sick leave to be applied to a circumstance and when accrued vacation or personal leave is applied as required by policy.~~

~~When accrued sick leave, vacation or personal leave is applied to a circumstance covered by the Family and Medical Leave Act the leave categories shall run concurrent with one another.~~

~~The extended leave provision contained in school board policy 5-38 section B-3 will be in effect as it exists only to the extent that an employee has not received 20 days of leave with standard deduction as part of family medical leave.~~

~~After an employee has used all of his/her sick leave, family medical leave will be without pay.~~

B. Definitions

- ~~1. Benefits: Those fringe provisions existing under Lynchburg City Schools policy. These include employer's share of health and dental insurance payment (not dependent coverage), Virginia Retirement Service payments including group life insurance, and accrual of leave time and seniority as provided for in policy.~~
- ~~2. Child: Any person who is under eighteen (18) years of age or any person eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability and who is related to the employee as a biological, adopted, or foster child; a step-child; a legal ward; or a child of an employee standing in place of a parent.~~
- ~~3. Health Care Provider: A physician authorized to practice in Virginia including doctors of medicine and osteopathy, podiatrists, dentists, clinical psychologists, optometrists and chiropractic treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist.~~
- ~~4. Serious health condition — an illness, injury, impairment, or physical or mental condition that involves — inpatient care in a hospital, hospice, or residential~~

PERSONNEL

Family and Medical Leave R 5-47

~~medical care facility or continuing treatment by a health care provider.~~

C. Procedures

- ~~1. An employee applies for family medical leave by completing a Request for Family Medical Leave Form (FML1) and submitting it to the department for personnel services. This request must be made at least 30 days prior to the date leave is to begin if such is practicable.~~

- ~~2. These additional forms are available in connection with family medical leave and should be submitted as directed on the Request for Family and Medical Leave Form:~~

Forms:

~~— FML2: Leave for Physical Disability incident to Pregnancy and Childbirth.~~

~~FML3: Physician Certification Form for use in cases of illness of covered family member.~~

~~— FML4: Physician Certification Form for use in cases of illness of employee.~~

~~FML5: Form used to notify employee of approval of leave requested and to inform employee as to how leave is applied. This form includes information on provision of health care and life insurance premiums.~~

~~— Note: Birth or child placement verification is required as applicable.~~

D. Discretions

- ~~1. Lynchburg City Schools may designate absences as family medical leave when the reason for such absences is known to be a covered circumstance and when such absences total more than five days.~~

- ~~2. Lynchburg City Schools may require a second opinion from a health care provider. The second opinion will be from a school system selected health care provider. Should the first and second opinions differ, a third opinion shall be used as provided for in the Family and Medical Leave Act of 1993.~~

- ~~3. If an employee requests intermittent leave or a reduced work schedule to care for a seriously-ill family member or for the employee's own serious health condition, and the need for leave is foreseeable based on planned medical treatment, the employer may temporarily transfer the employee to an available alternative position with equivalent pay and benefits if the employee is qualified for the~~

PERSONNEL

Family and Medical Leave R 5-47

~~position and it better accommodates recurring periods of leave than the employee's regular job.~~

{A. Generally

The Lynchburg City School Board recognizes its obligation to provide its eligible employees with unpaid leave pursuant to the Family and Medical Leave Act (FMLA), 29 U.S.C. §2601 et seq. This administrative regulation describes the benefits available to eligible employees under the Act.

B. Definitions

1. **Active Duty:** The term ‘active duty’ means duty under a call or order to active duty under a provision of law referred to in 10 U.S.C. §101(a)(13)(B).
2. **Contingency Operation:** The term “contingency operation” has the same meaning given such term in 10 U.S.C. §101(a)(13).
3. **Covered Servicemember:** The term “covered servicemember” means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
4. **Eligible Employee:** To be eligible for leave under this administrative regulation the employee must have at least twelve (12) months of service with the Lynchburg City Schools and have worked at least 1250 hours according to the Fair Labor Standards Act, 29 U.S.C. §201 et seq., in the twelve (12) months preceding the commencement of the leave. Full-time teachers are deemed to meet the 1250 hour test.
5. **Instructional Employee:** Employees whose principal function is to teach and instruct students in a class, a small group, or an individual setting such as teachers, athletic coaches, driving instructors, and special education assistants such as signers for the hearing impaired. The term does not include teacher assistants or aides who do not have as their principal function actual or instructing, or auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria works, maintenance workers, bus drivers, or other primarily noninstructional employees.
6. **Next of Kin:** The term “next of kin” used with respect to an individual, means the nearest blood relative of that individual other than the covered

PERSONNEL

Family and Medical Leave R 5-47

servicemember's spouse, parent, son, or daughter, in the following order or priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for the purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

- 7. Outpatient Status: The term "outpatient status," with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to
 - a. a military medical treatment facility as an outpatient; or**
 - b. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.****
- 8. Serious Health Condition: A serious health condition is an illness, injury, impairment or condition that involves inpatient care or continuing treatment by a health care provider.**
- 9. Serious Injury or Illness: The term "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.**
- 10. Year: A rolling 12-month period measured backward from the date an employee uses an FMLA leave.**

C. Leave

- 1. Any eligible employee is entitled to leave for a combined total of twelve (12) weeks per year for the following situations:**

PERSONNEL

Family and Medical Leave R 5-47

- a. the birth and care of a newborn child;
 - b. the adoption or foster placement of a child;
 - c. to care for an employee's spouse, parent, or child with a serious health condition;
 - d. because of a serious health condition that makes the employee unable to perform the essential functions of the employee's job; and
 - e. because of any qualifying exigency as defined in Department of Labor regulations, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.
2. However, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember is entitled to a total of 26 workweeks or leave per year to care for the servicemember. Leave under this paragraph is available only during a single year. During that year the employee is entitled to a combined total of 26 workweeks of leave under this regulation.
 3. To the extent that an employee is entitled to compensated leave under other Lynchburg City School board policies and administrative regulations, such paid leave shall be substituted for unpaid FMLA leave. otherwise, family medical leave is unpaid. When paid leave is available, the employee must satisfy any procedural requirements of the division's paid leave policy.
 4. Employees on FMLA leave must report their status and intention regarding returning to work to the school division as least every four weeks.

D. Notice to Employees of Their Rights under the FMLA

1. **Posting and General Notice:** The Lynchburg City Schools shall post, in conspicuous places, on the premises of the school division where notices to employees and applicants for employment are customarily posted, a notice explain the FMLA's provisions and providing information about the procedure for filing complaints with the Department of Labor. WHD Publication 1420 *Employee Rights and Responsibilities under FMLA*. A copy of WHD Publication 1420 will also be given to each employee by including it in the employee handbook or similar document or by distributing it to each new employee upon hiring.
2. **Eligibility Notice:** When an employee requests FMLA leave, or the school

PERSONNEL

Family and Medical Leave R 5-47

division has knowledge that an employee's leave may be for an FMLA-qualifying reason, the school division should notify the employee of the employee's eligibility to take FMLA leave within five business days. The eligibility notice should state whether the employee is eligible for FMLA leave. If the employee is not eligible for FMLA leave, the notice must state at least one reason why the employee is not eligible (such as, for example, the number of months the employee has worked for the school division). This notification may be accomplished by providing the employee a copy of form WH-381 *Notice of Eligibility and Rights and Responsibilities*.

3. **Notice of Rights and Responsibilities:** The school division will provide written notice detailing the specific expectations and obligations of the employee and explaining the consequences of the failure to meet those obligations each time the employee is given an eligibility notice. This notice will include, as appropriate:
 - a. that the leave may be designated and counted against the employee's annual FMLA leave entitlement and the 12-month period for FMLA entitlement;
 - b. any requirements for the employee to furnish certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status, and the consequences of failing to provide certification;
 - c. that the school division will substitute paid leave for unpaid leave and any conditions related to the substitution and the employee's right to take unpaid FMLA leave if the employee does not meet the conditions for paid leave;
 - d. any requirement for the employee to make any premium payments to maintain health benefits and the arrangements for making such payments, and the possible consequences of failure to make such payments on a timely basis;
 - e. the employee's rights to maintenance of the benefits during the FMLA leave; and
 - f. the employee's potential liability for payment of health insurance premiums paid by the employer during the employee's unpaid FMLA leave if the employee fails to return to work after FMLA leave.

The *Notice of Rights and Responsibilities* should be accompanied by any required certification form.

The *Notice of Rights and Responsibilities* will also include notice that employees on FMLA leave must report their status and intention

PERSONNEL

Family and Medical Leave R 5-47

regarding returning to work to the school division at least every four weeks.

If the information provided by the *Notice of Rights and Responsibilities* changes, the school division will, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, provide written notice referencing the prior notice and settling forth any of the information in the *Notice of Rights and Responsibilities* that has changed.

4. **Designation Notice:** When the school division has enough information to determine whether the leave is being taken for a FMLA-qualifying reason, the school division should give the employee written notice whether the leave will be designated and will be counted as FMLA leave within five business days. If the school division determines that the leave will not be designated as FMLA-Qualifying, the school division must inform the employee of that determination. The school division will also notify the employee that paid leave must be substituted for unpaid FMLA leave or that paid leave taken under an existing leave plan be counted as FMLA leave at the time of designating the FMLA leave.
5. If the school division will require the employee to present a fitness-for-duty certification to be restored to employment after taking leave for a continuous period of time, the school division will provide notice of the requirement with the Designation Notice. If the school division will require that the fitness-for-duty certification address the employee's ability to perform the essential functions of the employee's position, the school division must so indicate in the Designation Notice and must include a list of the essential functions of the employee's position.
6. If the school division has reasonable safety concerns regarding the ability of an employee who is returning to work after intermittent or reduced leave schedule to perform his or her duties based on the serious health condition for which the employee took leave, it may require the employee to submit a fitness-for-duty certification unless one has been submitted within the past 30 days.
7. If the leave is not designated as FMLA leave because it does not meet the requirements of the FMLA, the notice to the employee that the leave is not designated as FMLA leave may be in the form of a simple written statement.
8. If the information provided by the school division to the employee in the

PERSONNEL

Family and Medical Leave R 5-47

Designation Notice changes, the school division will provide, within five business days of receipt of the employee's first notice of need for leave subsequent to any change, written notice of the change.

9. The school division will notify the employee of the amount of leave counted against the employee's FMLA leave entitlement. If the amount of leave needed is known at the time the employer designates the leave as FMLA-qualifying, the school division must notify the employee of the number of hours, days, or weeks that will be counted against the employee's FMLA leave entitlement in the Designation Notice. If it is not possible to provide the hours, days, or weeks, that will be counted against the employee's FMLA leave entitlement, then the school division must provide notice of the amount of leave counted against the employee's FMLA leave entitlement upon request by the employee but no more often than once in a 30-day period and only if leave was taken in that period.
10. The school division's decision to designate leave as FMLA-qualifying will be based only on information received from the employee or the employee's spokesperson. If the school division does not have sufficient information about the reason for an employee's use of leave, the school division will inquire further of the employee or the spokesperson to ascertain whether leave is potentially FMLA-qualifying. Once the school division has knowledge that the leave is being taken for a FMLA-qualifying reason, the school division will provide the employee the notice described in this subsection.
11. An employee giving notice of the need for FMLA leave must explain the reasons for the needed leave so as to allow the school division to determine whether the leave is FMLA-qualifying. If the employee fails to explain the reasons, leave may be denied.

E. Leave for the Birth, Adoption, or Foster Placement of a Child

1. The employee's entitlement to leave for a birth, adoption, or foster placement of a child expires at the end of the 12-month period beginning on the date of the birth, adoption, or foster placement. Leave taken for the birth, adoption, or placement of a child may be taken intermittently or on a reduced leave schedule if the superintendent agrees to such an arrangement.
2. If the necessity for leave for the birth, adoption, or foster placement of a child is foreseeable based on an expected birth or placement, the

PERSONNEL

Family and Medical Leave R 5-47

employee shall provide the school division with not less than 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the birth or placement requires leave to begin in less than 30 days, the employee shall provide such notice as practicable. The employee's notice should be sufficient to make the school division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

F. Leave Because of a Serious Health Condition of Employee

1. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.

If the necessity for leave is foreseeable based on planned medical treatment, the employee shall

- a. make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the school division; and
- b. provide the school division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the school division aware that the employee needs FMLA-qualifying leave and of the anticipated timing and duration of the leave.

2. The school board may require that a request for leave because of the employee's own serious health condition be supported by a certification issued by a health care provider of the employee. The school division may use form WH-380-E *Certification of Health Care Provider for Employee's Serious Health Condition* for this certification. The school division should request that the employee furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The school division may request certification at a later date if it later has reason to question the appropriateness of the leave or its duration. The employee must provide a complete and sufficient certification within 15 calendar days after the school division's request. When the school division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

PERSONNEL

Family and Medical Leave R 5-47

Certification will be sufficient if it states

- a. the name, address, telephone number, and fax number of the health care provider and the type of medical practice/specialization;**
 - b. the approximate date on which the serious health condition commenced and its probable duration;**
 - c. a statement or description of appropriate medical facts regarding the employee's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and**
 - d. information sufficient to establish that the employee is unable to perform the essential functions of his or her position, the nature of any other work restrictions, and the likely duration of such inability.**
- 3. If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of his or her serious health condition, the certification shall include information sufficient to establish the medical necessity for such intermittent or reduced schedule leave and an estimate of the dates on which such treatment is expected to be given and the duration of such treatment and any period of recovery.**
- 4. If an employee requests leave on an intermittent or reduced leave schedule because of his or her own serious health condition that may result in unforeseeable episodes of incapacity, the certification shall include information sufficient to establish the medical necessity for the intermittent leave or leave on a reduced leave schedule, and an estimate of the frequency and duration of the episodes of incapacity.**
- 5. If the employee submits a complete and sufficient certification signed by the health care provider, the school division may not request additional information from the health care provider. However, the division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the school division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.**
- 6. If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.**

PERSONNEL

Family and Medical Leave R 5-47

7. If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

G. Leave Because of a Serious Health Condition of a Child, Spouse, or Parent of Employee

1. Family and medical leave shall be provided when the employee is needed to care for his/her spouse, child, or parent with a serious health condition, as defined above. Employees are entitled, when medically necessary, to take such leave on an intermittent or reduced leave schedule except as provided below.
2. If the necessity for leave is foreseeable based on planned medical treatment, the employee shall
 - a. make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division; and
 - b. provide the school division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the school division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

3. The school board may require that a request for leave to care for an employee's spouse, parent, or child with a serious health condition be supported by a certification issued by a health care provider of the family member in need of care. The school division may use form WH-380-F *Certification of Health Care Provider for Family Member's Serious Health Condition* for this medical certification. The school division should ask the employee to furnish certification when the employee gives notice of the need for leave or within five business days thereafter, or, in the case of unforeseen leave, within five business days after the leave begins. The school division may request certification at some later date if it has reason to question the appropriateness of the leave or its duration. The employee must provide the requested certification within 15 calendar

PERSONNEL

Family and Medical Leave R 5-47

days after the school division's request. When the school division requests certification, it will advise the employee of the anticipated consequences of the employee's failure to provide adequate certification.

Certification will be sufficient if it states

- a. the name, address, telephone number, and fax number of the health care provider and type of medical practice/specialization;
 - b. the approximate date on which the serious health condition commenced and its probable duration;
 - c. a statement or description of appropriate medical facts regarding the patient's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
 - d. information sufficient to establish that the family member is in need of care and an estimate of the frequency and duration of the leave required to care for the family member.
4. If an employee requests leave on an intermittent or reduced leave schedule for planned medical treatment of a family member's serious health condition, the certification shall include leave and an estimate of the dates and the duration of such treatments and any periods of recovery.
 5. If an employee requests leave on an intermittent reduced leave schedule in order to care for a family member with a serious health condition, the certification shall include a statement that the employee's intermittent leave or leave on a reduced leave schedule is medically necessary for the care of the son, daughter, parent, or spouse who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.
 6. If the employee submits a complete and sufficient certification signed by the health care provider, the school division may not request additional information from the health care provider. However, the school division may contact the health care provider for purposes of clarification and authentication of the medical certification. To make such contact, the school division must use a health care provider, a human resources professional, a leave administrator, or a management official. The employee's direct supervisor may not contact the employee's health care provider.
 7. If the school division doubts the validity of a certification, it may require, at its own expense, that the employee obtain the opinion of a second

PERSONNEL

Family and Medical Leave R 5-47

health care provider designated or approved by the school division concerning any information certified. The health care provider designated or approved by the school division may not be employed by the school division on a regular basis.

8. If the second opinion differs from the original certification, the school division may require, at its own expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the school division and the employee concerning information certified. The opinion of the third health care provider will be binding on both the school division and the employee.

H. Leave to Care for a Covered Servicemember

1. If the necessity for leave is foreseeable based on planned medical treatment for a serious injury or illness of a covered servicemember, the employee shall
 - a. Make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the school division; and
 - b. provide the school division with at least 30 days' notice, before the date the leave is to begin, of the employee's intention to take leave. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

The employee's notice should be sufficient to make the school division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.

2. The school board may require that a request for leave to care for a covered servicemember with a serious injury or illness to be supported by a certification issued by a health care provider of the covered serviceperson. The certification may be completed by a United States Department of Defense (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider. The employee shall provide, in a timely manner, a copy of such certification to the school division.

Certification will be sufficient if it states

- a. the name, address, and appropriate contact information (telephone number, fax number, and/or email address) of the health care

PERSONNEL

Family and Medical Leave R 5-47

- provider, the type of medical practice, the medical specialty, and whether the health care provider is one of the following: a United States Department of Defense (DOD) health care provider, a United States Department of Veterans Affairs (VA) health care provider, a DOD TRICARE network authorized private health care provider, or a DOD non-network TRICARE authorized health care provider;
- b. whether the covered servicemember's injury or illness was incurred in the line of duty on active duty;
 - c. the approximate date on which the serious health condition or serious injury or illness commenced and its probable duration;
 - d. a statement or description of appropriate medical facts regarding the covered servicemember's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave; and
 - e. information sufficient to establish that the covered servicemember is in need of care and whether the covered servicemember will need care for a single continuous period of time, including any time for treatment and recovery, and an estimate as to the beginning and ending dates for this period of time.
3. If an employee requests FMLA leave on an intermittent or reduced leave schedule for planned medical treatment appointments for the covered servicemember, the certification must state that there is a medical necessity for the covered servicemember to have such periodic care and must contain an estimate of the treatment schedule of such appointments.
 4. If an employee requests FMLA leave on an intermittent or reduced schedule basis to care for a covered servicemember other than for planned medical treatment, the certification must contain a statement that there is a medical necessity for the covered servicemember to have such periodic care, and must contain an estimate of the frequency and duration of the periodic care.
 5. In addition to the information listed above, the school division may also request that the certification set forth the information on form WH-385 *Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave*.
 6. In lieu of form WH-385, the school division will accept invitational travel orders (IT)s) or invitational travel authorization (TAs) issued to any family member to join an injured or ill servicemember at his or her bedside. And ITO or ITA is sufficient certification for the duration of time specified in

PERSONNEL

Family and Medical Leave R 5-47

the ITO or ITA. During that time period, the employee may take leave to care for the covered servicemember in a continuous block of time or on an intermittent basis.

7. The information on the certification must relate only to the serious injury or illness for which the current need for leave exists. The school division may seek authentication or clarification of the certification, ITO, or ITA but may not seek second or third opinions. The school division may require an employee to provide confirmation of covered family relationship to the seriously injured or ill servicemember.

I. Leave Related to a Qualifying Exigency Arising from Active Duty or a Call to Active Duty

1. If the necessity for leave because of qualifying exigency arising from the fact that a family member is on active duty or has been notified of an impending call to active duty is foreseeable, the employee shall give such notice to the school division as is reasonable and practicable. The employee's notice should be sufficient to make the school division aware that the employee needs FMLA-qualifying leave and the anticipated timing and duration of the leave.
2. The first time an employee requests leave because of a qualifying exigency arising out of the active duty or call to active duty status of a covered military member, the school division may require the employee to provide a copy of the covered military member's active duty orders or other documentation issued by the military which indicates that the covered military member is on active duty or call to active duty status in support of a contingency operation and the date of the covered military member's active duty service. A copy of new active duty orders or other documentation issued by the military shall be provided to the school division if the need for leave because of a qualifying exigency arises out of a different active duty or call to active duty status of the same or a different covered military member.

A request for leave because of a qualifying exigency must be supported by

- a. a statement or description signed by the employee of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave;
- b. the approximate date on which the qualifying exigency commenced

PERSONNEL

Family and Medical Leave R 5-47

- or will commence;
- c. the beginning and ending dates of absence if the employee requests leave because of a qualifying exigency for a single, continuous period of time;
 - d. an estimate of the frequency and duration of the qualifying exigency if the employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis; and
 - e. if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting, and a brief description of the purpose of the meeting.

The school division may use form WH-384 *Certificate of Qualifying Exigency for Military Family Leave* for this certification.

J. Rules for Intermittent and Reduced Schedule Leave

1. When permitted by the FMLA, intermittent and reduced schedule leave may be used until the aggregate amount of such leave equals twelve (12) weeks or twenty-six (26) weeks if the leave is taken to care for a covered servicemember in the employee's rolling year. However, when the employee requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment, the school division may temporarily transfer the employee to an available alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced schedule leave.
2. When an eligible employee employed principally in an instructional capacity requests leave to care for a family member with a serious condition, leave because of the employee's own serious health condition, or leave to care for a covered servicemember and the leave is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the school division may require the employee to select either
 - a. to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or
 - b. to transfer temporarily to an available alternative position offered by the school division for which the employee is qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave than the employee's regular employment.

PERSONNEL

Family and Medical Leave R 5-47

3. The school division may require an employee to make such an election when the employee has
 - a. made a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the division, subject to the approval of the health care provider; and
 - b. has provided the school division with not less than 30 days' notice before the date the leave is to begin, of the employee's intention to take leave, except that if the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.

K. Rules for Husband and Wife Employed by the School Division

1. A husband and wife who are both eligible for family and medical leave and are employed by the Lynchburg City Schools shall be granted family and medical leave only for a combined total of twelve (12) weeks per year when the leave is taken for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.
2. A husband and wife who are both eligible for family and medical leave and are employed by the Lynchburg City Schools shall be granted family and medical leave only for a combined total of twenty-six (26) workweeks per year if the leave
 - a. is taken to care for a covered servicemember; or
 - b. is taken as a combination of leave to care for a covered servicemember and leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition.

However, if the leave is taken by the husband and wife includes leave for the birth, foster placement, or adoption of a child or to care for the child after birth, adoption, or foster placement or to care for a parent with a serious health condition, the leave for that reason shall be limited to twelve (12) workweeks per year.

L. Benefits During Family and Medical Leave

1. Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave.

PERSONNEL

Family and Medical Leave R 5-47

Other benefits shall be provided according to school division policy for paid or unpaid leave, whoever applies.

2. If the employee fails to return to work when the period of leave to which he or she is entitled expires for any reason other than the continuation, recurrence, or onset of a serious health condition that entitles the employee to leave, or other circumstances beyond the employee's control, the school division may recover the premium it paid for maintaining the employee's coverage during the period of unpaid leave in accordance with federal law.

M. Return to Work

1. An employee on family and medical leave shall provide the school division at least two work days' notice of the intent to return to work. The employee shall be returned to the same or equivalent position at the end of the family and medical leave unless the school division shows that the employee would not otherwise have been employed at the time reinstatement is requested.
2. The following return to work provisions apply to instructional employees:
 - a. If an employee begins family and medical leave more than five (5) weeks before the end of an academic term, the employee may be required to continue taking leave until the end of the term if the leave is at least three (3) weeks in duration and the return to work would occur during the last three (3) weeks of the academic term.
 - b. If an instructional employee begins family and medical leave 1) because of the birth, adoption, or foster care placement of a son or daughter of the employee, 2) to care for a family member with a serious health condition, or 3) to care for a covered servicemember during the five (5)-week period before the end of an academic term, the employee may be required to continue taking leave until the end of the academic term if the leave is longer than two (2) weeks in duration and the return to work would occur during the last two (2) weeks of the academic term.
 - c. If an instructional employee begins family and medical leave 1) because of the birth, adoption, or foster care placement of a son or daughter of the employee, 2) to care for a family member during the three (3)-week period before the end of an academic term, the employee may be required to continue taking leave until the end of an academic term if the leave is longer than five (5) working days in duration.
3. If an instructional employee is required to continue leave until the end of an

PERSONNEL

Family and Medical Leave R 5-47

academic term, only the period of leave until the employee is ready and able to return to work shall be counted against the family and medical leave entitlement. However, the school division must continue the group health insurance coverage under the same conditions as if the employee were working.

N. Outside Employment

An employee who is on family and medical leave may not engage in employment for any other employer or self-employment while on leave. Falsification of records and failure to correct records known to be false are violations of this policy and will result in discipline which may include termination from employment.

Legal Reference

29 U.S.C. § 207, 2611, 2612, 2613, 2614, 2618, 2619

29 CFR 825.110, 825.115, 825.124, 825.200, 825.203, 825.207, 825.300, 825.301, 825.302, 825.303, 825.305, 825.306, 825.307, 825.309, 825.310, 825.311, 825.312, 825.600, 825.602, 825.603, 825.800

Employee Rights and Responsibilities Under the Family and Medical Leave Act (WHD Publication 1420)

<http://www.dol.gov/esa/whd/regs/compliance/posters/fmlaen.pdf>

Certification of Health Care Provider for Employee's Serious Health Condition (WH-380-E) <http://www.dol.gov/esa/whd/forms/WH-380.E.pdf>

Certification of Health Care Provider for Family Member's Serious Health Condition (WH-380-F) <http://www.dol.gov/esa/whd/forms/WH-380-F.pdf>

Notice of Eligibility and Rights & Responsibilities (WH-381) <http://www.dol.gov/esa/whd/forms/WH-381.pdf>

Designation Notice (WH-382) <http://www.dol.gov/esa/whd/forms/WH-382.pdf>

Certification of Qualifying Exigency for Military Family Leave (WH-384) <http://www.dol.gov/esa/whd/forms/WH-384.pdf>

Certification for Serious Injury or Illness of Covered Servicemember – for Military Family Leave (WH-385) <http://www.dol.gov/esa/whd/forms/WH-385.pdf>

PERSONNEL

Family and Medical Leave R 5-47

Approved by School Board: February 1, 1994
Approved by Superintendent: February 1, 1994
Revised by School Board: September 20, 2005
Revised by School Board:

Agenda Report

Date: 05/04/10

Agenda Number: G-4

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: School Board Policy 6-48: Acceptable Use Policy for School Division
Technology Resources (AUP)

Summary/Description:

School Board Policy 6-48: Acceptable Use Policy for School Division Technology Resources (AUP) was last revised by the school board in August 2007 in accordance with the Code of Virginia §22.1-70.2, which specifically addresses acceptable use Internet policies for public and private schools. School Board Policy 6-48 has again been updated in accordance with the Code, and the changes appear as an attachment to this agenda report.

Disposition: Action
 Information
 Action at Meeting on: 05/18/10

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 May 18, 2010.

INSTRUCTION

Acceptable Use Policy for School Division Technology Resources (AUP) P 6-48A. Generally

An acceptable use policy (AUP) is a written agreement signed by students, parents, and staff members which outlines the terms and conditions of technology use. It establishes acceptable use guidelines, rules of online behavior, and access privileges for all users. Users are identified as all Lynchburg City Schools' students and staff members, as well as other individuals who utilize the school division's technology. The AUP also covers penalties for violations of the policy, including security violations and vandalism of the system **{and/or equipment}**. Prior to using school division technology resources, each user is required to sign an AUP agreement and to know that it will be kept on file as a legal, binding document.

By using a school division computer, students and staff can connect to the Internet to gain access to information from the outside world. The Lynchburg City Schools provides Internet access free of charge to students and staff in all the schools. While the ability to communicate is an invaluable resource, there are sites on the Internet which are inappropriate for access and use by students and staff. Staff members will make reasonable effort to reinforce **{required}** Internet safety instruction and to ensure that student use of the Internet is appropriate and educational. Connections to the Internet from all schools will be made through a central access point, ~~at which filtering software limits access to inappropriate sites.~~

{In compliance with the Children's Internet Protection Act (CIPA), access to content available on the Internet is filtered, which includes pornographic content, access to non-educational social spaces, private web-mail services, and other content considered objectionable by the Lynchburg City Schools (LCS). Using proxy servers or other means to bypass this filtering mechanism is a violation of this policy.

The Department of Information Technology is responsible for evaluating and revising network and data security. It is the responsibility of the Department to ensure the confidentiality of personal data by implementing strict network security policies that prevent unauthorized access to sensitive data. When appropriate, network appliances will be used to help enforce data encryption and limit access as determined by user identifications.}

B. User Responsibilities

Access to technology is a privilege, not a right, and with use comes responsibility. The school division network, including the Internet, was established for educational purposes. As a result, users have no personal privacy rights on the network. Files, including e-mail, located on individual computers as well as the network can be

INSTRUCTION

Acceptable Use Policy for School Division Technology Resources P 6-48

reviewed by network and school administrators to ensure that users are using the system appropriately.

Users are responsible for adhering to the following guidelines.

1. **Personal Safety:** Students will not post personal information about themselves or other people. Students will not arrange meetings with anyone contacted on-line through the local network or Internet. Students will promptly disclose to a teacher or administrator any message containing text, graphics, pictures, or video clips that they feel is inappropriate or that makes them feel uncomfortable.
2. **Illegal/Inappropriate Activities:** Users will not attempt to gain unauthorized access to any computer system. This includes logging onto the system through another person's account or accessing anyone else's files. Users will not deliberately attempt to disrupt systems or destroy data by spreading computer viruses or by any other means. Users will not engage in any illegal or inappropriate activities or behaviors. Users will not access proxy sites on the Internet in an effort to by-pass existing school division firewall and web filtering devices. Students and employees will not access on-line gaming sites and/or save gaming software files on division servers or other storage media. Users will not launch executable files from personal storage devices. Students will not alter computer settings.
3. **System Security:** Users will take all reasonable precautions to prevent others from using their accounts. Users will not reveal their passwords. They will notify a teacher, building administrator, or network administrator of any possible security violations. **{Users will log off or lock any computer when left unattended.}**
4. **Inappropriate Behavior:** Users will not engage in inappropriate behavior which includes, but is not limited to, using obscene, pornographic, profane, threatening or disrespectful language; engaging in bullying through personal attacks including prejudicial or discriminatory attacks; harassing others; and posting false or defamatory information. These restrictions apply to public messages, private messages, and material posted on web pages.
5. **Respect for Privacy:** Users will not post private information about another user, nor will they re-post messages sent privately without permission of the author.
6. **Respect for Resource Limits:** Users will not download files or programs without permission (refer to Form SR1). Unused or unwanted files should be deleted on a regular basis including those located on network servers, e-mail, and

INSTRUCTION

Acceptable Use Policy for School Division Technology Resources P 6-48

individual hard drives. Files needing to be archived should be copied to personal storage devices.

7. Electronic Communications: Use of any electronic communication including, but not limited to, e-mail, instant messaging, **{texting, podcasting,}** external blogs, social media sites, **{forums, wikis,}** and bulletin boards, will be professional and appropriate. Users are responsible for division information sent electronically with large, multi-user mailings being approved by the Deputy ~~S~~**{s}**uperintendent's Office **{or his designee}** prior to transmitting. End users should check e-mail daily. They will not post or forward chain letters or any solicitation not sponsored by the Lynchburg City Schools.

- {8. Use of external devices. The use of smart electronic devices not provided by the school division including notebook computers, phones, hand-held gaming or other wireless devices on the school network is prohibited without prior approval from school officials.}**

- ~~8~~**{9.}**Plagiarism: Users will not plagiarize works found on the network, which includes the Internet. Plagiarism means taking credit for someone else's work as one's own by not recognizing the source. Whenever information is taken from a resource on the network, proper citations will be made and direct quotations will be enclosed in quotation marks or otherwise properly distinguished.

- ~~9~~**{10.}**Copyright Infringement: Users will respect the rights of copyright owners. When any work is copyrighted, that material cannot be legally used without permission of the author except in specific circumstances. When users encounter copyrighted resources on the network, they will seek assistance from teachers or network administrators before using any such copyrighted work.

{Content (documents, video, audio) produced by students using technology resources owned by the Lynchburg City Schools is the property of the individual(s) creating the content. Content produced by employees of the LCS using division technology resources becomes the intellectual and tangible property of, and thereby owned by, the Lynchburg City Schools. Employees may petition for copyright ownership for materials created outside of contractual hours.}

- ~~10~~**{11.}**Software: Users will not violate the school division's software license agreements. Software will not be loaded on school division computers without proper authorization (refer to Form SR1). Any software loaded onto school division resources becomes the property of the Lynchburg City Schools (refer to Form SR1.) Users will not copy school division software for personal use nor will they use the school division's computers to copy software not owned or

INSTRUCTION

Acceptable Use Policy for School Division Technology Resources P 6-48

licensed by the school division.

41{12.}Access to Material: Users will not access material that is profane, pornographic or obscene, that advocates illegal acts, or that advocates violence or discrimination. This restriction includes network, Internet, and personal storage media resources. Students will access the Internet for instructional purposes only as stipulated in Section B. Staff will access resources in a professional and appropriate manner.

42{13.}Personal Accounts: Users will not access personal **{e-mail}** accounts (~~e.g. America Online, YaHoo Mail, HotMail, CompuServe, G-Mail, MySpace, etc.~~) using school division equipment or software. Students may not subscribe to any service for which there is a fee. With administrative permission, school staff and, in some cases, students may subscribe to or access an educational service for which there is a fee.

C Teacher Responsibilities

Teachers will provide students with a sequential, structured approach to gaining the skills that will allow them to become independent, responsible users of technology. In all cases, teachers will make reasonable effort to ensure that students are directed to sites with age- and topic- appropriate materials and resources. All students and staff members will receive **{required}** instruction in Internet safety using the Lynchburg City Schools' approved curriculum.

1. In grades Pre-K-5, teachers will actively supervise and model appropriate use of the Internet. Students will have Internet access under direct teacher supervision; however, students will experience guided practice leading toward gaining skills to become independent and responsible users of the Internet. Teachers will explore an Internet site before directing students to that site.
2. In grades 6-8, teachers will provide guided practice and model appropriate use of the Internet. Teachers will supervise student-initiated information search activities and provide support for students as they begin to assume responsibility for becoming independent users of the Internet.
3. In high school, grades 9-12, teachers will model appropriate use of the Internet and will monitor and advise students in independent Internet use.

D. Discipline

Inappropriate use of the network which includes the Internet is a violation of school

INSTRUCTION

Acceptable Use Policy for School Division Technology Resources P 6-48

division discipline policies. Inappropriate use may result in termination of access and may result in disciplinary action, which may include suspension from school or in case of employees, termination of contract. Depending on the severity of the violation, criminal or civil liability is also possible.

Legal Reference:

Code of Va., § 22.1-70.2. Acceptable Internet use policies for public and private schools. “A. Every two years, each division superintendent shall file with the Superintendent of Public Instruction an acceptable use policy, approved by the local school board, for the international network of computer systems commonly known as the Internet. At a minimum, the policy shall contain provisions that (i) are designed to prohibit use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet; (ii) seek to prevent access by students to material that the school division deems to be harmful to juveniles as defined in § [18.2-390](#); (iii) select a technology for the division's computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § [18.2-374.1:1](#) and obscenity as defined in § [18.2-372](#); and (iv) establish appropriate measures to be taken against persons who violate the policy. The policy may include such other terms, conditions, and requirements as deemed appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses among elementary, middle, and high school students.

B. The superintendent shall take such steps as he deems appropriate to implement and enforce the division's policy.

C. On or before December 1, 2000, and biennially thereafter, the Superintendent of Public Instruction shall submit a report to the Chairmen of the House Committee on Education, the House Committee on Science and Technology, and the Senate Committee on Education and Health which summarizes the acceptable use policies filed with the Superintendent pursuant to this section and the status thereof.

D. In addition to the foregoing requirements regarding public school Internet use policies, the principal or other chief administrator of any private school that satisfies the compulsory school attendance law pursuant to § [22.1-254](#) and accepts federal funds for Internet access shall select a technology for its computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § [18.2-374.1:1](#) and obscenity as defined in § [18.2-372](#).”

(1999, c. 64; 2001, c. 269.)

Adopted by School Board: May 6, 1997
Revised by School Board: June 15, 1999
Revised by School Board: March 16, 2004
Revised by School Board: August 7, 2007
Revised by School Board:

Agenda Report

Date: 05/04/10

Agenda Number: G-5

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: Administrative Regulation 6-48: Acceptable Use of School Division
Technology Resources

Summary/Description:

Administrative Regulation 6:48: Acceptable Use of School Division Technology Resources was last revised by the school board in August 2007 in accordance with the Code of Virginia §22.1-70.2, which specifically addresses acceptable use Internet policies for public and private schools. Administrative Regulation 6-48 has been updated in accordance with the Code, and the changes appear as an attachment to this agenda report.

Disposition: Action
 Information
 Action at Meeting on: 05/18/10

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 May 18, 2010.

INSTRUCTION

Acceptable Use of School Division Technology Resources

The following forms will be used to support the documentation of employee and student understanding of School Board Policy 6-48: Acceptable Use of Division Technology Resources

- Student Acceptable Use Policy Agreement
- Staff Acceptable Use Policy Agreement

All Lynchburg City Schools' staff must sign an Acceptable Use of School Division Technology Resources Agreement (AUP) upon employment. This AUP will be reviewed annually with the employee at his respective site. All students and their parent/guardian will sign an AUP agreement upon entering elementary, middle, and/or high school, including any alternative education site. This agreement will be reviewed annually with the student. Each year, students and staff will also participate in Internet safety instruction using an approved Lynchburg City Schools' curriculum.

- Adopted by School Board: June 15, 1999
- Revised by School Board: March 16, 2004
- Revised by School Board: August 7, 2007
- Revised by School Board:

INSTRUCTION

Acceptable Use of School Division Technology Resources R 6-48

Student Section:

Student Name _____ Grade _____
(please print – include middle initial)

I agree to abide by all guidelines listed in School Board Policy 6-48: Acceptable Use of School Division Technology Resources Policy. ~~and to participate in Internet Safety instruction.~~

I realize the purpose of the school division’s technology is educational.

I realize **{the}** use of ~~the~~ technology is a privilege, not a right. I accept that inappropriate behavior may lead to penalties, including revoking my account, disciplinary action, and/or legal action. I realize that school personnel (school administrators, teachers, network administrators) can access all **{of}** my current and past network materials and my student accounts.

I agree not to **{access or transfer inappropriate, pornographic, or illegal materials through the school division's network or storage media}** ~~participate in the transfer of inappropriate or illegal materials while using the school division’s technology resources.~~

I agree not to allow other individuals to use **{of}** my account**{{(s)}}**, nor will I give anyone my password**{{(s)}}**.

I agree to abide by the school division’s software licenses and guidelines.

{I will not access on-line gaming sites and/or save gaming software files on school division equipment. I will not launch programs from personal storage devices.}

The Acceptable Use Policy has been read to me or I have read the Acceptable Use Policy. I agree to abide by the guidelines established, and understand that violation of the guidelines **{may}** ~~will~~ result in termination of my access to school division technology. I also realize I may be subject to additional disciplinary action, including suspension from school and/or possible criminal charges.

Student Signature _____ **Date** _____

Parent Section: (A parent or guardian must also read and sign.)

As the parent or guardian of this student, I have read the Acceptable Use Policy. I understand that school division technology is designed for educational purposes and that the school division has taken precautions to eliminate inappropriate materials. I understand, however, that it is impossible to restrict access to all controversial materials, and I will not hold the school division responsible for materials acquired through school division technology. I **{understand that}** ~~give permission for~~ my child **{will}** ~~to~~ participate in Internet Safety instruction and **{will}** ~~to~~ use the school division’s technology resources including the Internet under the guidelines established.

Parent Signature _____ **Date** _____

INSTRUCTION

Acceptable Use of School Division Technology Resources R 6-48

Each staff member is responsible for adhering to school board policy relating to the use of school division technology resources. Each staff member has read the Acceptable Use Policy and has agreed to abide by the provisions included and to promote this policy with students. ~~{All} Each staff member{s} will {ensure} has agreed to instruct students on safe,~~ acceptable use of the Internet and proper network etiquette using the approved Lynchburg City Schools' Internet Safety curriculum.

Staff Acceptable Use of School Division Technology Resources Policy Agreement (AUP)

Name _____ School/Location _____
(please print - include middle initial)

I agree to abide by all guidelines listed in the School Board Policy 6-48: Acceptable Use of School Division Technology Resources. ~~and to participate in Internet Safety instruction.~~

I realize the purpose of the school division's technology is educational. I will ~~always~~ use the network appropriately and professionally **{in accordance with the Employee Code of Conduct.}** I will only use the school division's computers and network, including the Internet, for **{limited}** personal use when it does not conflict with my instructional and supervisory responsibilities with students and does not conflict with my employment responsibilities in general.

I realize that information technology personnel can access all **{of}** my current and past network materials and accounts, including e-mail.

I realize **{that}** I am responsible for adhering to all school board policies and procedures relating to the use of technology.

I realize **{that the}** use of ~~the~~ technology is a privilege, not a right. I accept that inappropriate behavior may lead to penalties, including revoking my account and **{/or}** personnel action.

I agree not to **{access or}** ~~participate in the~~ transfer of inappropriate, pornographic, or illegal materials through the school division's network or storage media.

{I will not access on-line gaming sites and/or save gaming software files on school division equipment. I will not launch programs from personal storage devices.}

I agree to abide by the school division's software licenses and guidelines.

{I realize that content produced using division resources is the property of the Lynchburg City Schools.}

I agree not to share network passwords **{and to lock out or log out when away from my computer}** in order to maintain network security.

INSTRUCTION

Acceptable Use of School Division Technology Resources R 6-48

I agree to promote the Acceptable Use Policy and Internet safety with students. ~~I agree to instruct students on acceptable use of the Internet and proper network etiquette using the approved Lynchburg City Schools' Internet Safety curriculum. I will make reasonable effort to ensure that student access to the network, including the Internet, is appropriate.~~

I have read the Acceptable Use Policy, agree to abide by the guidelines established, and understand that violation of the guidelines may result in termination of my access to school division technology. I also realize I may be subject to additional personnel action, up to and including termination of my employment contract, as well as possible criminal charges.

Signature _____ **Date** _____

Agenda Report

Date: 05/04/10

Agenda Number: G-6

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: Administrative Regulation 6-58: Secondary Student Evaluation and Grading Procedures

Summary/Description:

On March 23, 2010, the school board approved the Lynchburg City Schools academic calendar for 2010-11. The approved academic calendar includes the following changes:

- 1) the replacement of the optional first-period with a seven-period high school day
- 2) the removal of the current high school exam structure
- 3) the addition of study halls and repeat courses in high school
- 4) the addition of a senior early dismissal option
- 5) the addition of elementary early dismissal days at the end of each six-weeks
- 6) the removal of seven work and professional development days
- 7) the lengthening of the winter break
- 8) a spring break the week prior to Easter
- 9) an earlier last day of instruction, May 27, 2011
- 10) graduation on the afternoon on Sunday, May 29, 2011

Given the removal of the current high school exam structure (item two), the school administration recommends changes to Administrative Regulation 6-58: Secondary Student Evaluation and Grading Procedures.

Disposition: Action
 Information
 Action at Meeting on: 05/18/10

Recommendation:

The superintendent recommends that the school board accept this agenda report as an informational item and consider action at the school board meeting on May 18, 2010.

INSTRUCTION

Secondary Student Evaluation and Grading Procedures**{A. Determining End-of-Course Grades**

Middle school end-of-course grades are to be computed by an average of the grades earned for each six weeks.}

~~A{B.} Determining Semester Grades~~

~~Secondary students' **{High school course}** semester grades are to be computed by applying one fourth weight to each of the three six-weeks' grades and one fourth weight to the final examination grade. During the semester an advanced placement test is taken, however, an examination may not be given. In such instances, an average of the three six-weeks' grades. shall constitute the final semester grade.~~

~~B. Senior Exam Exemptions~~

- ~~1. Exemption will apply to seniors only.~~
- ~~2. Exemption will be for second semester of the senior year only.~~
- ~~3. The student must have a semester grade that ranges between 90-100 percent, except as specified in Section C below~~
- ~~4. The student cannot have more than five absences, excused or unexcused, in the class during the second semester. Absences that are the result of school-sponsored events are exceptions to this attendance requirement.~~
- ~~5. Only the principal can make exceptions to the attendance requirement.~~
- ~~6. A student in a dual enrollment course with CVCC will not be exempt from exams since this is a college course.~~
- ~~7. A student in an advanced placement (AP) course will continue to take the AP exam and have the option of being exempt from the final exam regardless of grade in the course (current practice) unless the student is also taking the course for dual enrollment credit in which case the student must take the final exam regardless of the grade in the course.~~

~~C. Standards of Learning Exam Option~~

~~Students enrolled in courses that are assessed by the Virginia Standards of Learning (SOL) tests will have the following option related to the course exam:~~

~~Students who pass the SOL test may choose to be exempt from the second semester exam and take the grade they make from the three six-week averages.~~

~~D{C.} Determining Grades for a Student Who Drops **{Exits}** a Course Before the End of the Semester~~~~{1. Request to Withdraw}~~

INSTRUCTION

Secondary Student Evaluation and Grading Procedures (continued)

All ~~{requests for a student to be withdrawn from a course shall be made in writing, signed by a parent/guardian, and turned in to the guidance department by the end of the 15th school day of the semester.}~~ ~~schedule changes must take place within the first three weeks of school. Any courses {from which a student is withdrawn} dropped within that time period will not be recorded on a student's report card or permanent record. Only with permission of the principal will a student be allowed to drop a course beyond this time period. In such cases, an E is to be recorded as the course grade. The grade should be the student's exact or approximate numerical grade at the time of withdrawal averaged with zero for each of the factors constituting the grade for the remainder of the semester. {Unless there are extenuating circumstances, students will not be permitted to withdraw from a course after the 15th day of the semester.~~

In very rare cases, extenuating circumstances may justify a withdrawal from a course after the 15th school day of the semester. If a student is withdrawn after the 15th school day of the semester, the student's transcript will reflect the course and a grade of withdrawal passing (WP) or withdrawal failing (WF) for the semester. These designations (WP and WF) are not considered in Grade Point Average calculations. A parent/guardian must file a written request for such consideration with the building principal, and that request must clearly indicate the extenuating circumstances to justify a withdrawal. An example of such circumstances would be extensive absences for medical reasons. The principal will review the request, recommend approval or denial, and send the request and recommendation to the superintendent (or designee) for consideration. Only the superintendent (or designee) can approve a withdrawal from a course after the 60th school day. If it is determined that sufficient justification for a withdrawal does not exist, the student will remain in the course until the end of the semester.

2. Request to Transfer to a Lower Level of the Same Course

At any time during the semester, the principal may approve a request from a parent/guardian for a student transfer to a lower level of the same course. An example would be transferring from Advanced World History and Geography 1 (4.5 GPA weight) to World History and Geography 1 (4.0 weight). Such a transfer would be dependent on the ability to reschedule the student and the available space in the desired course. When such a transfer occurs, the name of the course will be changed in the student's schedule, and the previously earned grades will be counted toward the semester grade reported on the student's academic record under the lower-level course name.

3. Courses That Are Dropped Due to Extensive Absences

INSTRUCTION

Secondary Student Evaluation and Grading Procedures (continued)

School Board Policy 7-15: Student Attendance speaks to the practice of dropping students from courses due to extensive absences. Section B. 8. of the policy notes “Students absent 15 consecutive days from school are dropped from the school’s attendance roll. The principal or designee shall make a reasonable effort to notify the parent/guardian by telephone and in writing that the student has been dropped from the roll (8VAC10-110-13).”

In the case that a student is dropped from a course pursuant to School Board Policy 7-15 after the 15th school day of the semester but before the end of the 60th school day, the student will be dropped from all courses, and no record of courses in which the student was enrolled will be maintained. If the student is dropped from a course for extensive absences under School Board Policy 7-15 after the 60th school day (meaning approximately two-thirds of the semester has passed), a zero will be recorded for any assignments not completed during the remainder of the semester, and the resulting “F” grade will be recorded for the semester course grade at the time of the drop.}

E. Grades and Class Rank Related to Courses Repeated

Students shall be allowed to repeat a course already passed only upon approval by the school principal. The repeating of performing arts courses - acting, chorus, band, and orchestra is not affected by this regulation since each of these may be taken repeatedly as a new course.

For all repeat work **{courses}**, 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~~ **{academic record}**.

{No additional credit toward graduation requirements will be awarded for passing a course more than once unless allowance to do so is specifically noted in the course description in the current Lynchburg City Schools High School Program of Studies.

E. Repeat Courses Under the Credit Recovery Format

Students who have earned an “F” in a high school credit course may retake that course as a repeat course under the Virginia Department of Education approved “credit recovery” format. This format allows for repeat instruction to be provided in half the instructional hours as a new credit course. More specifically, semester courses awarding 0.5 Carnegie credits must provide no less than 70 clock hours of instruction. However, the same course as a

INSTRUCTION

Secondary Student Evaluation and Grading Procedures (continued)

repeat course under the credit recovery format meets for no less than 35 hours. Only students who have previously failed a course and have had that failure reflected on the academic record are eligible to enroll in a repeat course under the credit recovery format.

Students who register for repeat courses under the credit recovery format are taking those courses officially for credit. If a student fails such a course, that student will earn an “F” grade, and it will be reflected on the student’s academic record.

Students who are dropped from a repeat course under the credit recovery format prior to the 23rd instructional hour will not have that course appear on their transcripts. However, if after the 23rd instructional hour a student no longer attends a course and is dropped due to extensive absences, a zero will be recorded for any assignments not completed during the remainder of the course, and the resulting grade will be recorded for the semester course grade.}

Approved by Superintendent: August 2, 1983

Revised by School Board: September 21, 1993

Revised by School Board: March 30, 1999

Revised by School Board: February 21, 2006 (effective – beginning with school year 2006-07)

Revised by the School Board:

Agenda Report

Date: 05/04/10

Agenda Number: G-7

Attachments: Yes

From: Paul McKendrick, Superintendent

Subject: Annual Personnel Report

Summary/Description:

1. Recommendation for continuing contracts for personnel completing third year or completing one year after attaining continuing contract status in another Virginia system.
2. Recommendation for renewal of annual contracts for second year personnel.
3. Recommendation for renewal of annual contracts for first year personnel.
4. Recommendation for renewal of annual contracts for personnel completing less than 180 days.
5. Recommendation for continuing contracts to remain in force for part-time personnel.
6. Recommendation for renewal of annual contracts for part-time personnel and/or full-time personnel with a part-time administrative assignment.
7. Recommendation for Title/Grant funded personnel.
 - A. Recommendation for continuing contracts, Title/Grant funded personnel completing third year or completing one year after attaining continuing contract status in another Virginia system.
 - B. Recommendation for renewal of annual contracts, Title/Grant funded personnel completing second year.
 - C. Recommendation for renewal of annual contracts, Title/Grant funded personnel completing first year.
 - D. Recommendation for continuing contracts to remain in force for part-time and/or partially funded Title/Grant personnel.
 - E. Recommendation for renewal of annual contracts for part-time and/or partially funded Title/Grant personnel.
 - F. Recommendation for continuing contracts to remain in force for Title/Grant funded personnel.

Agenda Report

Date: 05/04/10

Agenda Number: G-7

Attachments: Yes

8. Recommendation for non-renewal of contracts.
9. Recommendation for continuing contracts to remain in force for 2009-10.
 - A. Personnel earning continuing contract status under School Board Policy 5-7.
 - B. Other administrative and instructional personnel.
10. Recommendation for renewal of annual contracts for non-licensed administrative personnel.
11. Reduction in force in accordance with School Board Policy 5-18.

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

Recommendation:

The superintendent recommends that the school board approve the Annual Personnel Report.

Agenda Report

Date: 05/04/10

Agenda Number: K-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Notice of Closed Meeting

Summary/Description:

Pursuant to the Code of Virginia §2.2-3711 (A) (1), the school board needs to convene a closed meeting for the purpose of discussing the following specific matters:

Employee Performance

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

Recommendation:

The superintendent recommends that the school board approve a motion to enter into Closed Meeting in accordance with the Code of Virginia §2.2-3711 (A) (1) for the purpose of considering employee performance.

Agenda Report

Date: 05/04/10

Agenda Number: K-2

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Certification of Closed Meeting

Summary/Description:

The Lynchburg City School Board certifies that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in a closed meeting and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

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

Recommendation:

The superintendent recommends that the school board approve the Certification of Closed Meeting in accordance with the Code of Virginia §2.2-3712(D).