

**Section VIII– Students**  
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**SECTION VIII – STUDENTS**

**ARTICLE I  
GENERAL ADMINISTRATION**

**POLICY 8-1.1 SCHOOL BOARD AUTHORITY TO REGULATE STUDENTS**

Virginia and federal law give the School Board of the City of Richmond the power to make reasonable rules for the (1) governance of the schools, (2) management of the School Board’s business, and (3) supervision of the schools, including but not limited to the proper discipline of pupils, including their conduct while they are on school property, attending or participating in school activities, and taking the most direct route going to and returning from school. For the purposes of this policy “going to and returning from school” includes the period of time students are traveling to and from the bus stop to their residences and/or while on the school bus.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-1.2 EQUAL EDUCATIONAL OPPORTUNITIES**

**Policy Statement**

The School Board of the City of Richmond’s educational programs and services shall be designed to meet the varying needs of all students and shall not discriminate against any individual for reasons of race, religion, color, gender, national origin, disability, or on any other basis prohibited by law. The School Board also supports equal educational opportunities and treatment of all students regardless of sexual orientation. Further, no student, on the basis of gender, shall be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege, advantage or denied equal access to educational and extracurricular programs and activities. The School Board encourages school division employees, patrons and students to promptly report all incidents of alleged discriminatory conduct.

In furtherance of this policy, the School Board shall: (i) provide facilities, programs and activities that are accessible, usable and available to qualified persons with disabilities; (ii) provide a free, appropriate education, including non-academic and extracurricular services to qualified persons with disabilities; (iii) not exclude qualified persons with disabilities, solely on the basis of their disabilities, from any preschool, daycare, adult education or vocational programs; and (iv) not discriminate against qualified persons with disabilities in the provision of health, welfare or social services.

**Complaints**

Any student who believes he or she has been the victim of prohibited discrimination or who has knowledge of conduct which may constitute prohibited discrimination should report the alleged discrimination as soon as possible in accordance with the complaint procedure as detailed in Policy 8-1.3 below. Any employee who has knowledge of conduct which may constitute prohibited discrimination shall immediately report such conduct to one of the compliance officers designated in Policy 8-1.3.

**LEGAL REFERENCE:** 20 U.S.C. §§1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-2000d-7; 34 C.F.R. part 106.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-1.3           SEXUAL HARASSMENT/ HARASSMENT BASED ON RACE,  
NATIONAL ORIGIN, DISABILITY AND RELIGION**

**Policy Statement**

The School Board of the City of Richmond is committed to maintaining a learning/working environment free from sexual harassment and harassment based on race, national origin, disability or religion. Therefore, School Board prohibits sexual harassment and harassment based on race, national origin, disability or religion (collectively "harassment") of any student or school personnel at school or any school sponsored activity. The School Board also prohibits harassment against students based on sexual orientation.

It shall be a violation of this policy for any student or school personnel to harass a student or school personnel sexually, or based on race, national origin, disability or religion. Further, it shall be a violation of this policy for any school personnel to tolerate harassment by students, school personnel or third parties participating in, observing or otherwise engaged in school sponsored activities.

For the purpose of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or other persons subject to the supervision and control of the School Board and Richmond Public Schools.

The school division shall: (1) promptly investigate all complaints, written or verbal, of harassment; (2) promptly take appropriate action to stop any harassment and (3) take appropriate action against any student or school personnel who violates this policy and take any other action reasonably calculated to end and prevent further harassment of school personnel or students.

**Definitions**

a.     Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- i.     submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education;
- ii.    submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's education; or
- iii.   that conduct or communication substantially or unreasonably interferes with an individual's education, or creates an intimidating, hostile or offensive educational environment (i.e. the conduct is sufficiently serious to limit a student's ability to participate in or benefit from the educational program).

Examples of conduct, which may constitute sexual harassment, include but are not limited to:

- i. unwelcome, sexually motivated or inappropriate patting, pinching or other physical contact;
- ii. unwelcome, ongoing or repeated sexual flirtation, remarks or propositions;
- iii. sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions;
- iv. graphic verbal or written comments about an individual's body, or overly personal conversation of a sexual nature;
- v. sexual jokes, notes, stories, drawings, gestures or pictures;
- vi. spreading sexual rumors;
- vii. touching an individual's body or clothes in a sexual way;
- viii. displaying sexually suggestive objects, pictures, cartoons or posters;
- ix. impeding or blocking movement in a sexually intimidating manner;
- x. coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act or another;
- xi. touching oneself sexually or talking about one's sexual activity in front of others;
- xii. other unwelcome sexual behavior or words, including demands for sexual favors, when accompanied by either: (1) implied or overt threats concerning an individual's educational status; or (2) implied or overt promises of preferential treatment with respect to one's educational status;
- xiii. unwelcome behavior or words directed at an individual because of gender; or
- xiv. unwelcome verbal harassment or abuse, threats of physical harm, or assaults directed at an individual because of sexual orientation.

b. Harassment Based on Race, National Origin, Disability or Religion

Harassment based on race, national origin, disability or religion consists of physical or verbal conduct relating to an individual's race, national origin, disability, or religion when the conduct:

- i. has the purpose or effect of creating an intimidating, hostile or offensive educational environment;
- ii. has the purpose or effect of substantially or unreasonably interfering with an individual's education; or
- iii. otherwise is sufficiently serious to limit a student's ability to participate in or benefit from the educational program.

Examples of conduct, which may constitute harassment based on race, national origin, disability or religion, include but are not limited to:

- i. graffiti containing racially offensive language;
- ii. name calling, jokes or rumors;
- iii. physical acts of aggression against a person or his/her property because of that person's race, national origin, disability or religion;
- iv. slurs, negative stereotypes and hostile acts, which are based on another's race, national origin, religion or disability; or
- v. written or graphic material containing ethnic comments or stereotypes which is posted or circulated and is intended to degrade individuals based on their race, national origin, disability or religion.

## **Complaint Procedure**

### **a. Reporting**

Any student who believes he or she has been the victim of harassment by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing, or otherwise engaged in activities, including sporting events and other extracurricular activities, under the auspices of Richmond Public Schools, is strongly encouraged to immediately report the alleged acts to an appropriate school division official designated by this policy.

Any teacher, administrator, or other school official who has or receives notice that a student has or may have been the victim of harassment by a student, teacher, administrator or other school personnel, or by any other person who is participating in, observing or otherwise engaged in activities, under the auspices of Richmond Public Schools, is required to immediately report the alleged acts to an appropriate school division official designated by this policy.

Any other person with knowledge or belief that a student has or may have been the victim of harassment by a student, teacher, administrator, or other school personnel, or by any other person who is participating in, observing or otherwise engaged in activities, under the auspices of Richmond Public Schools, is encouraged to immediately report the alleged acts to an appropriate school division official designated by this policy.

The school division encourages the reporting party or complainant to use the included Student Discrimination/Harassment Complaint Form (Appendix \_\_\_) available from the principal of each building or available from Richmond Public Schools' administrative offices. Use of formal reporting forms is not mandated. Oral reports of discrimination or harassment shall be treated as formal complaints. Nothing in this policy shall prevent any person from reporting harassment directly to the division superintendent or his or her designee.

In each school building, the principal is the person responsible for receiving oral or written reports of harassment at the building level. Any adult school division personnel who receive a report of harassment shall inform the building principal immediately. Upon receipt of a report, the principal must notify division superintendent or his or her designee immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the division superintendent or his or her designee. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the division superintendent or his or her designee. Failure to forward any harassment report or complaint as provided in this policy will result in disciplinary action against the principal.

If the complaint involves the building principal, the complaint shall be made or filed directly with the division superintendent or his or her designee by the reporting party or the complainant. If any complaint involves the designee of the superintendent, the complaint shall be made or filed directly with the division superintendent. If the complaint involves the division superintendent, the complaint shall be made or filed directly with the School Board.

The division superintendent has designated the Chief Academic Officer and/or the Chief of Staff as the school division official(s) with responsibility to identify, prevent, and remedy harassment. The Chief Academic Officer and/or the Chief of Staff shall:

- i. Receive reports or complaints of harassment;

- ii. Oversee the investigative process;
- iii. Be responsible for assessing the training needs of the school division's staff and students in connection with the dissemination, comprehension, and compliance with this policy;
- iv. Arrange for necessary training required for compliance with this policy; and
- v. Ensure that any investigation is conducted by an impartial investigator who has been trained in the requirements of equal education opportunity, including harassment, and who is able to apply procedural and substantive standards which are necessary and applicable to identify unlawful harassment, recommend appropriate discipline and remedies when prohibited harassment is found, and take other appropriate action to rectify the damaging effects of any prohibited discrimination, including interim protection of the victim during the course of the investigation.

b. Investigation

Upon receipt of a report or complaint alleging sexual harassment, the Chief Academic Officer and/or the Chief of Staff shall immediately undertake or authorize an investigation. The investigation may be conducted by Richmond Public Schools' officials or by a third party designated by the Richmond Public Schools.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of the evaluation of any other information or documents that may be relevant to the particular allegations.

In determining whether the alleged conduct constitutes a violation of this policy, Richmond Public Schools shall consider:

- i. The nature of the behavior;
- ii. How often the conduct occurred;
- iii. Whether there were past incidents or past continuing patterns of behavior;
- iv. The relationship between the parties involved;
- v. The sex and age of the victim;
- vi. The identity of the perpetrator, including whether the perpetrator was in a position of power over the student allegedly subjected to harassment;
- vii. The number of alleged harassers;
- viii. The age of the harasser;
- ix. Where the harassment occurred;
- x. Whether there have been other incidents in the school involving the same or other students;
- xi. Whether the conduct has adversely, or continues to adversely affect the student's education or educational environment; and
- xii. The context in which the alleged incidents occurred.

Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances. In addition, Richmond Public Schools may take steps, at its discretion, to protect the complainant, students, teachers, administrators or other school personnel pending completion of an investigation.

The investigation shall be completed no later than 15 working days from receipt of the report. The investigator shall make a written report to the Chief Academic Officer and/or the Chief of Staff upon completion of the investigation. The report shall include a determination of whether the allegations have been substantiated as factual and whether there appears to be violation of this policy. The investigator's duty to conduct this investigation shall not be extinguished by the fact that a criminal investigation involving the same or similar allegations is also pending or has been concluded.

c. Richmond Public Schools Action

Upon receipt of a report of harassment, Richmond Public Schools will take prompt, appropriate formal or informal action to address, and where appropriate, remediate the violation. Appropriate actions may include, but are not limited to, counseling, awareness training, parent-teacher conferences, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Any action taken for violation of this policy shall be consistent with the requirements of state and federal law, School Board *Bylaws and Policies*, the *Administrative Procedures Manual* and the *Standards of Student Conduct*.

In determining what is an appropriate response to a finding that sexual harassment in violation of this policy has occurred, Richmond Public Schools shall consider:

- i. What response is most likely to end any ongoing harassment;
- ii. Whether a particular response is likely to deter similar future conduct by the harasser or others;
- iii. The amount and kind of harm suffered by the victim of the harassment;
- iv. The identity of the party or parties who engaged in the harassing conduct; and
- v. Whether the harassment was engaged in by school personnel, and if so, the school division will also consider how it can best remediate the effects of the harassment.

In the event that evidence suggests that the harassment is also a crime under state or federal law, school officials shall report the results of the investigation to the appropriate law enforcement agency.

The results of Richmond Public Schools' investigation of each complaint filed under these procedures will be reported in writing to the complainant and other parties by Richmond Public Schools in accordance with state and federal laws regarding data and records privacy, and consistent with the privacy rights of the complainant and the alleged harasser.

If the results of Richmond Public Schools' evaluation of a complaint or harassment conclude that an individual has engaged in harassment in violation of this policy, or that any individual has failed to report harassment as required by this policy, that individual may appeal this determination by use of established School Board procedures for appealing other adverse education related actions. If the results of Richmond Public Schools' investigation of a complaint of harassment conclude that no harassment has occurred, an individual who was allegedly subjected to harassment and believes this conclusion to be erroneous may appeal this determination by use of established School Board procedures for appealing other adverse personnel and/or education related actions.

Copies of all complaints of harassment and the investigations conducted pursuant to them shall be maintained for a period of two years at the School Board administrative offices.

d. Privacy



The school division will respect the privacy of the complainant, the individuals against whom the complaint is filed, and the witnesses as much as possible, consistent with Richmond Public Schools' legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

e. Acts of Reprisal

Submission of a good faith complaint or report of harassment will not affect the complainant's grades, learning environment, or work assignments.

The School Board shall discipline or take appropriate action against any student, teacher, administrator, or other school personnel who knowingly files a false complaint of harassment.

The School Board shall discipline or take appropriate action against any student, teacher, administrator, or other school personnel who retaliates against any person who reports an incident of alleged sexual harassment, or any person who testifies, assists, or participates in a proceeding, investigation or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

**Dissemination of Policy and Training**

Richmond Public Schools shall conspicuously post this policy against harassment in each school, in a place accessible to students, faculty administrators, employees, parents, and members of the public. The notice shall include the name, mailing address and telephone number of the Chief Academic Officer and/or the Chief of Staff for Richmond Public Schools, the Virginia Council on Human Rights, and the mailing address and telephone number of the United States Department of Education, Office of Civil Rights.

A summary of this policy shall appear in the *Standards of Student Conduct*. A summary of this policy is included in Appendix \_\_\_\_\_. A complete copy of the policy shall be made available upon the request of parents, students, and other interested parties.

The School Board shall develop a method of discussing this policy with students and employees. Training on the requirements of this policy and the appropriate responses to issues regarding harassment will be provided to all school personnel on an annual basis, and at such other times as the School Board determines necessary or appropriate.

This policy shall be reviewed at least annually for compliance with state and federal law.

**LEGAL REFERENCE:** 20 U.S.C. §§ 1681-1688; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d – 2000 d-7; 42 U.S.C. §§ 2000e – 2000e-17.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-1.4 PARENTAL INVOLVEMENT IN EDUCATION**

**Parental Rights Generally**

The parents of a student, regardless of the marital and custodial status of the parents, have a right to participate in student's education. Unless there is a court order to the contrary, both of the student's parents have the right to:

- a. View the child's school records in accordance with School Board policy;
- b. Receive school progress reports, the school calendar, notices of major school events, and notices generated pursuant to the Individuals with Disabilities Education Improvement Act ("IDEIA") and Section 504;
- c. Visit the school in accordance with School Board policy;
- d. Receive notice of and participate in parent-teacher conferences; and
- e. Receive notice of the student's extended absences as defined in and pursuant to School Board policy if both parents have joint physical custody.

### **Parental Responsibilities**

A custodial parent has the responsibility to:

- a. Inform the office of the student's school as to the address of residence and how he or she may be contacted at all times;
- b. List the current address and phone number of the non-custodial parent on the Richmond Public Schools registration form, unless such address is unknown and the parent signs a statement to that effect, or unless a court order restricts the educational or visitation rights of the non-custodial parent;
- c. Provide the school with a copy of any court order regarding the visitation and/or physical custody restrictions of the non-custodial parent, including any documentation which restricts or removes the non-custodial parent's right to view educational records; make educational decisions on behalf of the child; and/or access the child; and
- d. Assist the school in enforcing the school division's Standards of Student Conduct in order that education may be conducted in an atmosphere free of disruption and threat to persons or property and supportive of individual rights.
- e. Inform the school of any relevant medical information about the student, such as illnesses and allergies, to ensure that the school will be able to properly safeguard the student's welfare while at school and during school activities.

A non-custodial parent has the responsibility to apprise the office of the school his or her child attends of their current address and telephone number. Unless there is a court order to the contrary, non-custodial parents shall not be denied the opportunity to participate in any of the student's school activities based solely on their parental status, when such parent participation is supported or encouraged by the policies of the School Board

### **Parental Involvement under the Elementary and Secondary Education Act**

The School Board recognizes that the education of each student is a responsibility shared by the school division and the student's family. As such, the School Board of the City of Richmond endorses the parental involvement goals of Title I and Title III of the Elementary and Secondary Education Act and encourages the regular participation and involvement of the parents of all children attending Richmond Public Schools including the parents of those eligible for Title I and Limited English Proficiency (LEP) programs in all aspects of those programs.

In keeping with these beliefs, it is the intention of the School Board to cultivate and support active parental involvement in student learning. The School Board will:

- a. provide activities that will educate parents regarding the intellectual and developmental needs of their children. These activities will promote cooperation between the division and other agencies or school/community groups (such as parent-teacher groups, the Head Start program, the Reading First program, Early Reading First program, Even Start program, and Parents as Teachers program) to furnish learning opportunities and disseminate information regarding parenting skills and child/adolescent development;
- b. implement strategies to involve parents in the educational process, including:
  - i. keeping families informed of opportunities for involvement and encouraging participation in various programs;
  - ii. providing access to educational resources for parents and families to use with their children; and
  - iii. keeping families informed of the objectives of division educational programs as well as of their child's participation and progress with these programs;
- c. enable families to participate in the education of their children through a variety of roles. For example, family members may:
  - i. provide input into division policies; and/or
  - ii. volunteer time within the classroom and school program
- d. provide professional development opportunities for teachers and staff to enhance their understanding of effective parent involvement strategies;
- e. perform regular evaluations of parent involvement at each school and in the division;
- f. provide access, upon request, to any instructional material used as part of the educational curriculum; and
- g. if practicable, provide information in a language understandable to parents.

In addition, for parents of students eligible for LEP programs, the School Board will inform such parents of how they can be active participants in assisting their children:

- a. to learn English;
- b. to achieve at high levels in core academic subjects; and
- c. to meet the same challenging academic content and student academic achievement standards as all children are expected to meet.

#### **Parental Involvement in Title 1 Plan**

The School Board encourages parents of children eligible to participate in Title I, Part A, programs to take advantage of all the options available to them under the No Child Left Behind Act to improved their child's academic performance, such as school choice, supplemental services and the signing of parent compact agreements.

#### **Parental Involvement in School Review and Improvement**

The School Board and Richmond Public Schools encourage parents of children eligible to participate in Title I, Part A, and LEP programs to participate in the process of school review and, if applicable, school improvement as implemented by the No Child Left Behind Act of 2001, 20 U.S.C. § 2316. Parents may participate by joining School Planning and Management Teams, becoming informed and involved partners and signing parent compact agreements.

#### **Division Responsibilities**

The School Board, Richmond Public Schools, and each school which receives Title I, Part A, funds, **SHALL:**

- a. provide assistance to parents of children served by the school or division, as applicable, in understanding topics such as Virginia's academic content standards and student academic achievement standards, state and local academic assessments, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- b. provide materials and training to help parents work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
- c. educate teachers, pupil services personnel, principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- d. to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children;
- e. ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand; and
- f. provide such other reasonable support for parental involvement activities as parents may request.

The School Board, Richmond Public Schools, and each school which receives Title I, Part A, funds, **MAY:**

- a. involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training;
- b. provide necessary literacy training from Title I funds if the division has exhausted all other reasonable available sources of funding for such training;
- c. pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- d. train parents to enhance the involvement of other parents;
- e. arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators who work directly with participating children and parents who are unable to attend such conferences at school in order to maximize parental involvement and participation;
- f. adopt and implement model approaches to improving parental involvement;
- g. establish a division-wide parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section; and
- h. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

#### **School Parental Involvement Policies**

Each school served under Title I, Part A, shall jointly develop with and distribute to parents of participating children a written parental involvement policy, agreed on by such parents, that shall describe the means for carrying out the following:

- a. convening an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation in Title I, Part A, and to explain the requirements of Title I, Part A, and the rights of parents to be involved;
- b. offering a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement;
- c. involving parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan under the Elementary and Secondary Education Act, except that if a school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children; and
- d. providing parents of participating children:
  - i. timely information about Title I, Part A, programs;
  - ii. a description and explanation of the curriculum in use at the school, the academic assessments used to measure student progress, and the proficiency levels students are expected to meet; and
  - iii. if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
  - iv. if the school-wide program plan under the Elementary and Secondary Education Act is not satisfactory to the parents of participating children, opportunities to submit any parent comments on the plan when the school makes the plan available to the school division.

#### **Parental Involvement in Allocation of Funding**

Parents of children receiving services under Title I, Part A, shall be involved in the decisions regarding how funds provided under Title I, Part A, are allotted for parental involvement activities.

#### **Policy Review**

The content and effectiveness of this policy will be evaluated annually with regard to improving the academic quality of the schools receiving Title I, Part A, or LEP funds. This evaluation will identify barriers to greater participation by parents (particularly by parents who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background) and use the findings of that evaluation to design strategies for more effective parental involvement, and to revise, if necessary, this policy.

**LEGAL REFERENCE:** Family Educational Records Privacy Act; Code of Virginia, 1950 as amended § 20-124.6(a); 20 U.S.C. § 1232h.; Code of Virginia, 1950, as amended, §§ 22.1-4.3, 22.1-78, 22.1-79.3.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-1.5            STUDENT INVOLVEMENT**

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

Student input is important in the data collection process, and on relevant issues students' views will be sought and considered by the division superintendent and the School Board.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-78; 8 VAC 20-131-20.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-1.6            STUDENT RECORDS**

### **Generally**

The School Board of the City of Richmond shall maintain accurate and complete records for every student enrolled in the public schools in accordance with all federal and state laws.

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

### **Missing Children**

Richmond Public Schools shall receive reports of disappearances of any children living within the school division from local law enforcement pursuant to Code of Virginia, §52-31.1. Upon notification by a local law-enforcement agency of a child's disappearance, the principal of any school in which the child was enrolled at the time of the disappearance shall indicate, by mark, in the child's cumulative record that the child has been reported as missing. Upon notification by law enforcement that the child is located, the principal shall remove the mark from the record.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, without alerting the requestor of such report.

For the purposes of this policy, a "mark" shall mean an electronic or other indicator that (i) is readily apparent on the student's record and (ii) will immediately alert any school personnel that the record is that of a missing child.

### **Definitions**

For the purposes of this policy, the School Board has used the following definitions of terms:

- a. Student - any person who attends or has attended a school in the Richmond Public Schools.
- b. Adult student - a student who has reached age 18.
- c. Parent - either natural parent of a student, a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian.
- d. Education records - any record (in handwriting, print, computer media, video or audio tape, film, microfilm, microfiche or other medium) maintained by Richmond Public Schools or an agent of the school division which contains information directly related to a student, except:
  - i. Records that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another person except a temporary substitute for the maker of the record.
  - ii. Records created and maintained for law enforcement purposes by Richmond Public Schools law enforcement unit, if any. A law enforcement unit is an individual, department or office of the school division that is authorized to enforce any state or federal law, report enforcement matters to appropriate authorities or maintain the physical security and safety of the school division.
  - iii. An employment record which is used only in relation to a student's employment by the Richmond Public Schools.
  - iv. Records created or received after an individual is no longer in attendance and that are not directly related to the individual's attendance as a student.
  - v. Grades on peer-graded papers before they are collected and recorded by a teacher.

#### **Dissemination and Maintenance of Records about Court Proceedings**

- a. Adjudications

The division superintendent shall disseminate the notice or information regarding an adjudication of delinquency or conviction for an offense listed in § 16.1-260 (G) of the Code of Virginia, 1950 as amended, contained in a notice received pursuant to § 16.1-305.1 of the Code of Virginia, 1950, as amended, to school personnel responsible for the management of student records and to other relevant school personnel, including, but not limited to, the principal of the school in which the student is enrolled. The principal shall further disseminate such information to licensed instructional personnel and other school personnel who (1) provide direct educational and support services to the student and (2) have a legitimate educational interest in such information.

A parent, and, with consent of a parent or in compliance with a court order, the court in which the disposition was rendered, shall be notified in writing of any disciplinary action taken with regard to any incident upon which the adjudication of delinquency or conviction for an offense listed in § 16.1-260 (G) of the Code of Virginia, 1950 as amended was based and the

reasons therefor. The parent shall also be notified of his or her right to review, and to request an amendment of, the student's scholastic record.

Every notice of adjudication of delinquency or conviction for an offense listed in § 16.1-260 (G) of the Code of Virginia, 1950 as amended received by a division superintendent, and information contained in the notice, which is not a disciplinary record as defined in Board of Education regulations, shall be maintained by the division superintendent and by any others to whom they disseminate it, separately from all other records concerning the student. However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of Va. Code § 16.1-260, the notice shall become a part of the student's disciplinary record.

b. Petitions

The division superintendent shall not disclose information contained in or derived from a notice of petition received pursuant to § 16.1-260 (G) of the Code of Virginia, 1950 as amended except as follows:

- i. if the juvenile is not enrolled as a student in a public school in the division to which the notice was given, the division superintendent shall promptly so notify the intake officer of the juvenile court in which the petition was filed and may forward the notice of petition to the division superintendent of the division in which the juvenile is enrolled, if known;
- ii. prior to receipt of the notice of disposition, the division superintendent may disclose the fact of the filing of the petition and the nature of the offense to the principal of the school in which the student is enrolled if the division superintendent believes that disclosure to school personnel is necessary to ensure the physical safety of the student, other students or school personnel within the division; and
- iii. after the student has been taken into custody, whether or not the student has been released, the principal may further disseminate the information only to those students and school personnel having direct contact with the student and need of the information to ensure physical safety, appropriate educational placement or other educational services.

**Annual Notification**

The school division shall annually notify parents and adult students of their rights under the Family Educational Rights and Privacy Act (FERPA) including:

- a. the right to inspect and review the student's educational records and the procedure for exercising this right;
- b. the right to request amendment of the student's educational records that the parent believes to be inaccurate, misleading or in violation of the student's privacy rights and the procedure for exercising this right;
- c. the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent;



- d. the type of information designated as directory information and the right to opt out of release of directory information;
- e. that the school division releases records to other institutions that have requested the information and in which the students seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer;
- f. the right to opt out of releasing the student's name, address, and phone number to military recruiters or institutions of higher education that request such information;
- g. specification of the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest; and
- h. the right to file complaints with the Family Policy Compliance Office in the United States Department of Education concerning the school division's alleged failure to comply with FERPA.

### **Procedure to Inspect Education Records**

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

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

The principal (or appropriate school official) will make the needed arrangements for access as promptly as possible and notify the parent or adult student of the time and place where the records may be inspected.

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

### **Copies of Education Records**

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

### **Fees for Copies of Records**

The fee for copies will be \_\_\_\_\_ per page. The actual cost of copying time and postage will be charged. Richmond Public Schools shall not charge for search and retrieval of the records. Richmond Public Schools shall not charge a fee for copying an IEP or for a copy of the verbatim record of a hearing conducted in accordance with the State Board of Education's Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

### **Types, Locations, and Custodians of Education Records**

Richmond Public School shall provide parents on request a list of the types and locations of education records collected, maintained, or used by the school division.

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

<u>Types</u>	<u>Location</u>	<u>Custodian</u>
<b>Cumulative School Records</b> <i>(Current students and former students 5 years and less)</i>	School Principal's Office	School Principal
<b>Cumulative School Records</b> <i>(Former students more than 5 years)</i>	Student Records Office - City Hall 301 N. Ninth St., 13th Floor Richmond, VA 23219	Records Technician
<b>Discipline Records</b>	<i>See Cumulative School Records</i>	
<b>Health Records</b>	<i>See Cumulative School Records</i>	
<b>Speech Therapy Records</b>	<i>See Cumulative School Records</i>	
<b>Psychological Records</b>	<i>See Cumulative School Records</i>	
<b>School Transportation Records</b>	Student Transportation 3501 Belt Boulevard Richmond, VA 23234	Director
<b>Occasional Records</b> <i>(Student education records not identified above; such as those in Superintendent's Office, in the school attorney's office, or in the possession of teachers.)</i>	Principal will collect and make available at student's school	School Principal

**Disclosure of Education Records**

Richmond Public Schools shall disclose education records or personally identifiable information contained therein only with the written consent of the parent or adult student subject to the following exceptions. The school division may disclose education record information without consent:

- a. To school officials who have a legitimate educational interest in the records.  
A school official is:
  - i. A person employed by the school division as an administrator, supervisor, instructor, or support staff member.
  - ii. A person appointed or elected to the School Board.

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

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

- i. Performing a task that is specified in his or her position description or by a contract agreement.
  - ii. Performing a task related to a student's education.
  - iii. Performing a task related to the discipline of a student.
  - iv. Providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement, or financial aid.
- b. To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. If records or information are released under this provision, the student's parents will be notified of the release, receive a copy of the record(s), if they so desire, and have an opportunity for a hearing to challenge the content of the record.
  - c. To certain officials of the U.S. Department of Education, the United States Attorney General, the Comptroller General, and state educational authorities, in connection with certain state or federally supported education programs and in accordance with applicable federal regulations.
  - d. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid.
  - e. For the purpose of furthering the ability of the juvenile justice system to effectively serve the pupil prior to adjudication. The principal or his designee may disclose identifying information from a pupil's scholastic record to state or local law-enforcement or correctional personnel, including a law-enforcement officer, probation officer, parole officer or administrator, or a member of a parole board, seeking information in the course of his duties; an officer or employee of a county or city agency responsible for protective services to children, as to a pupil referred to that agency as a minor requiring investigation or supervision by that agency; attorneys for the Commonwealth, court services units, juvenile detention centers or group homes, mental and medical health agencies, state and local children and family service agencies, and the Department of Juvenile Justice and to the staff of such agencies. Prior to disclosure of any such scholastic records, the persons to whom the records are to be disclosed shall certify in writing to the principal or his designee that the information will not be disclosed to any other party, except as provided under state law, without the prior written consent of the parent of the student or by such student if the student is eighteen years of age or older.
  - f. To organizations conducting certain studies for or on behalf of the school division.
  - g. To accrediting organizations to carry out their functions.

- h. To parents of an adult student who claim the student as a dependent for income tax purposes.
- i. To the entities or persons designated in judicial orders or subpoenas as specified in FERPA.
- j. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. If the school division releases information in connection with an emergency, it will record the following information:
  - i. the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and
  - ii. the parties to whom the division disclosed the information.
- k. Directory information so designated by the school division.
- l. When the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14071, and the information was provided to the division under 42 U.S.C. § 14071 and applicable federal guidelines.

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

#### **Military Recruiters and Institutions of Higher Learning**

Richmond Public Schools will provide, on request made by military recruiters or an institution of higher education, access to secondary school students' names, addresses, and telephone listings.

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

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

#### **Record of Disclosure**

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

The requirements related to records of disclosure stated above do not apply to disclosures made pursuant to an ex parte order issued by a court at the request of the United States Attorney General (or any

Federal officer or employee, in a position not lower than an Assistant Attorney General, designated by the Attorney General) seeking to collect education records relevant to an authorized investigation or prosecution of international terrorism as defined in 18 U.S.C. § 2331 or other acts listed in 18 U.S.C. § 2332b(g)(5)(B).

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

### **Directory Information**

Richmond Public Schools shall notify parents and adult students at the beginning of each school year what information, if any, Richmond Public Schools has designated as directory information, the right to refuse to let the division designate any or all of such information as directory information, and the period of time to notify the division, in writing, that he or she does not want any or all of those types of information designated as directory information.

### **Correction of Education Records**

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

- a. Parents or the adult student must request in writing that Richmond Public Schools amend a record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.
- b. Richmond Public Schools shall decide whether to amend the record in accordance with the request within a reasonable period of time. If it decides not to comply, the school division shall notify the parents or adult student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
- c. Upon request, Richmond Public Schools shall arrange for a hearing, and notify the parents or adult student, reasonably in advance, of the date, place, and time of the hearing. The hearing shall be held within a reasonable period of time after the request.
- d. The parent or adult student may, at his or her own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
- e. The hearing shall be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the school division. The parents or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records in accordance with FERPA.
- f. Richmond Public Schools shall prepare a written decision which will include a summary of the evidence presented and the reasons for the decision within a reasonable period of

time after the hearing. The decision will be based solely on the evidence presented at the hearing.

- g. If Richmond Public Schools decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it shall amend (including expungement) the record and notify the parents or adult student, in writing, that the record has been amended.
- h. If Richmond Public Schools decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or adult student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision. The statement will be maintained as part of the student's education records as long as the contested portion is maintained and disclosed whenever the school division discloses the portion of the record to which the statement relates.

### **Confidentiality of HIV and Drug and Alcohol Treatment Records**

Richmond Public Schools shall comply with the confidentiality requirements of Section 32.1-36.1 of the Code of Virginia, 1950, as amended, providing for the confidentiality of records related to any test for Human Immunodeficiency Virus (HIV). In addition, the school division shall maintain confidentiality of drug and alcohol treatment records as required by federal and state law.

**LEGAL REFERENCE:** 18 U.S.C. §§ 2331, 2332 b; 20 U.S.C. §§ 1232g, 7908; 42 U.S.C. § 290 dd-2; 34 C.F.R. 99.3, 99.7, 99.10, 99.20-22, 99.31-37; Code of Virginia, 1950, as amended, §§ 2.2-3704, 16.1-260, 16.1-305.1, 16.1-305.2, 22.1-287, 22.1-288, 22.1-288.1, 22.1-288.2, 22.1-289, 23-2.1:3, 32.1-361; 8 VAC 20-720-130.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-1.7 ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES**

### **Instructional Materials and Surveys**

#### **a. Inspection of Instructional Materials**

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be available for inspection by the parents or guardians of the student in accordance with School Board policy and/or administrative procedures.

#### **b. Participation in Surveys and Evaluations**

No student shall be required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning

- i. political affiliations or beliefs of the student or the student's parent;
- ii. mental or psychological problems of the student or the student's family;
- iii. sex behavior or attitudes;

- iv. illegal, anti-social, self-incriminating, or demeaning behavior;
- v. critical appraisals of other individuals with whom respondents have close family relationships;
- vi. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- vii. religious practices, affiliations, or beliefs of the student or student's parent; or
- viii. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent.

c. Youth Risk Surveys

Students may be randomly selected to participate in a survey issued by the Virginia Department of Health to assess the health risk behaviors of middle and high school students in the Commonwealth of Virginia. Richmond Public Schools shall cooperate with the Virginia Department of Health in the issuance of the survey.

The division superintendent is directed to develop procedures to ensure that the parent(s) or guardian(s) of each middle and high school student is notified, in writing, at least 30 days prior to the administration of the survey, that their child may be randomly selected to participate in the survey unless the parent denies consent for the student's participation, in writing, prior to the administration of the survey. The notice shall also inform the parent or guardian regarding (i) the nature and types of questions included in the survey; (ii) the purposes and age-appropriateness of the survey; (iii) how the information collected by the survey will be used; (iv) who will have access to the information collected; (v) whether and how any findings or results will be disclosed; and (vi) the steps that will be taken to protect the students' privacy.

Parents or guardians shall have the right to review the survey prior to the administration of the survey.

d. Additional Protections

A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with School Board policy and/or administrative procedures.

In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed above, the privacy of students to whom the survey is administered will be protected as required by law.

e. Physical Examinations and Screenings

Policies regarding examinations or screenings will be developed and adopted in consultation with parents if Richmond Public Schools administers any physical examinations or screenings other than (i) those required by Virginia law; and (ii) surveys administered to a student in accordance with the Individuals with Disabilities Education Act.

f. Commercial Use of Information

Questionnaires and surveys shall not be administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- i. college or other postsecondary education recruitment, or military recruitment;
- ii. book clubs, magazines, and programs providing access to low-cost literary products;
- iii. curriculum and instructional materials used by elementary schools and secondary schools;
- iv. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- v. the sale by students of products or services to raise funds for school-related or education-related activities; and
- vi. student recognition programs.

g. Notification

i. *Notification of Policies*

The School Board shall provide notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The School Board will also offer an opportunity for the parent (or emancipated student) to opt the student out of participation in:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey referenced in this policy; or
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student, or of other students.

ii. *Notification of Specific Events*

The School Board will directly notify the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the



school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey referenced in this policy;
- any nonemergency, invasive physical examination or screening that is
  - required as a condition of attendance;
  - administered by the school and scheduled by the school in advance; and
  - not necessary to protect the immediate health and safety of the student, or of other students.

h. Definitions

- i. Instructional material: the term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.
- ii. Invasive physical examination: the term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- iii. Parent: the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- iv. Personal information: the term "personal information" means individually identifiable information including
  - a student or parent's first and last name;
  - a home or other physical address (including street name and the name of the city or town);
  - a telephone number; or
  - a Social Security identification number.
- v. Survey: the term "survey" includes an evaluation.

**LEGAL REFERENCE:** 20 U.S.C. § 1232h; Code of Virginia, 1950, as amended, § 22.1-79.3.

Adopted \_\_\_\_\_, 2012

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## SECTION VIII – STUDENTS

### ARTICLE II STUDENT ADMISSION, ATTENDANCE AND ASSIGNMENT

#### POLICY 8-2.1 COMPULSORY ATTENDANCE

##### General Requirements

Except as otherwise provided in this policy, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth (5<sup>th</sup>) birthday on or before September 30 of any school year and who has not passed the eighteenth (18<sup>th</sup>) birthday shall, during the period of each year the public schools are in session and for the same number of days and hours per day as the public schools, send such child to a public school or to a private, denominational or parochial school or have such child taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent or provide for home instruction of such child as described in § 22.1-254.1 of the Code of Virginia. Home instruction shall not be classified or defined as a private, denominational or parochial school.

As prescribed in the regulations of the Board of Education, the requirements of this policy may also be satisfied by sending a child to an alternative program of study or work/study offered by a public, private, denominational or parochial school or by a public or private degree-granting institution of higher education. Further, in the case of any five-year-old child who is subject to the provisions of this policy, the requirements of this section may be alternatively satisfied by sending the child to any public educational prekindergarten program, including a Head Start program, or in a private, denominational or parochial educational prekindergarten program.

The requirements of this policy shall apply to (i) any child in the custody of the Department of Juvenile Justice or the Department of Corrections who has not passed his eighteenth birthday and (ii) any child whom the division superintendent has required to take a special program of prevention, intervention, or remediation as provided in § 22.1-253.13:1(C) and § 22.1-254.01 of the Code of Virginia.

The requirements of this section shall not apply to any child who has obtained a high school diploma, its equivalent, or a certificate of completion or who has otherwise complied with compulsory school attendance requirements as set forth in this policy.

Any child who will not have reached his sixth birthday on or before September 30 of each school year whose parent or guardian notifies the appropriate school board that he does not wish the child to attend school until the following year because the child, in the opinion of the parent or guardian, is not mentally, physically or emotionally prepared to attend school, may delay the child's attendance for one year.

##### General Exemptions

The School Board of the City of Richmond shall excuse from attendance at school:

1. Any student who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For purposes of this policy, "bona fide religious training or belief" does not include essentially political, sociological or philosophical views or a merely personal moral code; and

2. On the recommendation of the Richmond Juvenile and Domestic Relations District Court and for such period of time as the court deems appropriate, any student who, together with his parents, is opposed to attendance at a school by reason of concern for such student's health, as verified by competent medical evidence, or by reason of such student's reasonable apprehension for personal safety when such concern or apprehension in that student's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

The School Board of the City of Richmond may excuse from attendance at school:

1. On recommendation of the principal and the division superintendent and with the written consent of the parent or guardian, any student who the School Board determines, in accordance with regulations of the Board of Education, cannot benefit from education at such school; and

2. On recommendation of the Richmond Juvenile and Domestic Relations District Court, any student who, in the judgment of such court, cannot benefit from education at such school.

**Health-Related Exemptions: Contagious or Infectious Diseases; Immunizations**

1. Children suffering from contagious or infectious diseases shall be exempt from compulsory attendance when the physical incapacity is documented by a written statement from a licensed physician or licensed nurse practitioner treating the child, giving the reason(s) for the student's inability to attend school. However, a child excluded from the regular instructional program under this exemption may be eligible to apply for homebound instruction in cases where such instruction may be of benefit to the child.

2. The attendance at school of students who suffer from or are reasonably suspected of suffering from (a) a communicable disease which poses a substantial risk or danger of infection to the school community and is serious or long term, such as tuberculosis or Hepatitis A; or (b) bloodborne diseases which are infectious or contagious, such as HIV-1, Hepatitis B, and cytomegalovirus, and which may be transmitted by the exchange of body fluids or secretions, shall be determined by the division superintendent on a case-by-case basis as established elsewhere in School Board policy. The division superintendent shall seek a recommendation from a review committee to assist in making the determination. The student may be temporarily excluded from school pending the division superintendent's decision.

3. Children whose immunizations against communicable diseases have not been completed may be excluded from school attendance unless such children have been exempted from immunization requirements. (Any parent, guardian or other person having control or charge of a child being exempted or excused from school attendance shall comply with the immunization requirement provided in § 32.1-46 of the Code of Virginia in the same manner and to the same extent as if the child has been enrolled in and is attending school.)

**Alternative Education Plan**

For a student who is at least sixteen years of age, the School Board may allow the compulsory attendance requirements to be met through the development and implementation of an individual student alternative education plan. There shall be a meeting of the student, the student's parents, and the principal or designee of the school in which the student is enrolled in which the alternative education plan shall be

developed in conformity with guidelines prescribed by the Board of Education. The plan must include at a minimum:

1. Career counseling;
2. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the School Board with attendance requirements that provide for reporting of student attendance by the chief administrator of such GED preparatory program or approved alternative education program to such principal or his designee;
3. Counseling on the economic impact of failing to complete high school; and
4. Procedures for reenrollment to comply with the compulsory attendance set forth in the General Requirements section of this policy.

A student for whom an individual student alternative education plan has been granted pursuant to this subsection and who fails to comply with the conditions of such plan shall be in violation of the compulsory school attendance law, and the division superintendent or attendance officer shall seek immediate compliance with the compulsory school attendance law.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the Richmond Public Schools.

#### **Requesting Exemptions**

Any request for exemption from attendance shall be presented annually in writing to the division superintendent or his/her designee. Applicants desiring to provide home instruction shall be referred to the division superintendent's office. All other exemptions from compulsory attendance granted by the School Board shall be in accordance with state law.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-254 through 22.1-269.1.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-2.2          ADMISSIONS**

### **Age of Student**

A person of school age is eligible for admission on a non-tuition a basis if residing in the Richmond Public Schools division, or if eligible as a homeless child or youth pursuant to Policy 8-2.3. For the purpose of this policy, "a person of school age" is defined as a person who will have reached his or her fifth (5<sup>th</sup>) birthday on or before September 30 of the school year and who has not reached twenty (20) years of age on or before August 1 of the school year.

A student who has passed their twentieth (20<sup>th</sup>) birthday shall be permitted to attend the public day schools only with special permission of the division superintendent. The School Board of the City of Richmond, in its discretion, may charge tuition fees to such student.

### **Residency**

For the purposes of this policy a "resident" is defined as one who lives permanently in the City of Richmond. Proof of residence shall include, but not be limited to, two or more of the following, which

reflect the physical address of the resident: a U.S. or Virginia income tax return from the previous year, a U.S. Internal Revenue Service tax reporting W-2 form from the current year, a deed or lease agreement to the residence, a voter registration card, a receipt for personal property taxes paid within the last year, a payroll check or payroll check stub issued by an employer within the last three months, or a telephone bill issued within the last three months. Final decisions regarding residence for school attendance purposes shall be made by the Richmond Public Schools division superintendent or his/her designee.

Unless otherwise disqualified by these policies, children who meet the residency requirements as provided in § 22.1-3 of the Code of Virginia, or who are children placed in foster care, as provided in § 63.2-100 of the Code of Virginia, shall be admitted free of charge to the school to which they are assigned. It is a Class 4 misdemeanor to knowingly make a false statement concerning the residency of a child within the school division or within a particular attendance zone within the school division to: (1) avoid tuition charges, or (2) enroll a child in a school outside the attendance zone in which the student resides. Any person making such a false statement shall be liable to the School Board for tuition charges for the time the student was enrolled in the school division.

### **Birth Certificate**

Either a certified copy of the student's birth records or other reliable proof of the student's identity and age and an affidavit explaining the inability to produce a certified copy of the birth record must be presented prior to admission of the student. The principal or the principal's designee shall record the official state birth number from the student's birth record into the student's permanent school record and may retain a copy in the student's permanent school record. The principal shall immediately notify the Richmond Police Department when a certified copy of a birth record is not presented for a student. The division superintendent shall develop an arrangement in cooperation with the Richmond Police Department to receive reports on disappearances of any children living within the school division.

However, if the student seeking enrollment is a homeless child or youth as defined in §22.1-3 of the Code of Virginia, the school shall immediately enroll the student, even if the student is unable to produce the records required for enrollment, shall immediately contact the school last attended to obtain relevant academic and other records and shall comply with the provisions of the federal McKinney-Vento Homeless Education Assistance Improvement Act of 2001, including immediately referring the parent of the student or youth to the school division's Homeless Education Liaison who shall assist in obtaining necessary records for enrollment.

If the child is a child placed in foster care as defined in §22.1-3.4 of the Code of Virginia, the child shall be enrolled immediately. If documentation of the child's birth records or other reliable proof of the student's identity and age is not immediately available at the time of enrollment, the person enrolling the child shall provide a written statement, that to the best of his knowledge, the student's age. The placing social services agency shall obtain and produce child's birth records or other reliable proof of the student's identity and age or otherwise ensure compliance with these requirements within 30 days after enrollment.

### **Social Security Numbers**

Each student enrolled in Richmond Public Schools shall present a federal social security number within 90 days of enrollment. In any case in which a student is ineligible, pursuant to guidelines promulgated by the Board of Education, to obtain a social security number, or the parent or guardian is unwilling to present a social security number, the division superintendent or his/her designee shall waive this requirement and shall assign another identifying number to the student.

## **Special Health Requirements**

### **a. Physical Examinations**

Prior to admission to any elementary school, a student or his parent or guardian must furnish (1) a report from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, of a comprehensive physical examination, as prescribed by the State Health Commissioner, performed within the twelve months prior to the date of entrance, or (2) records including a physical examination from another school division in the Commonwealth of Virginia.

If a report of a medical examination or a record of such an examination from another school or school division cannot be furnished because the student is a homeless child or youth, and the person seeking to enroll the student furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, the student is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the school division's Homeless Education Liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the City of Richmond Health Department or other clinic or physician's office and shall immediately admit the student to school pending receipt of the report from such physical examination.

A physical examination is not required for any child whose parents or guardian object on religious grounds provided the child shows no visual evidence of illness. The parent or guardian shall state in writing that the child, to the best of his or her knowledge, is in good health and free of any communicable or contagious disease.

Parents of students entering school shall complete a health information form required by state law which shall be distributed by Richmond Public Schools. The forms must be returned to the student's school within fifteen (15) days of receiving the form unless a reasonable extension has been granted by the division superintendent or his/her designee. Upon failure of the parent to complete such form within the extended time, or if an extension to return the form has not been requested and/or granted, the division superintendent may send to the parent(s) a written notice of the date the child will be excluded from school if the form is not returned. No student who is classified as a homeless child or youth shall be excluded from school for such failure to complete such form.

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

### **b. Immunization Requirements**

Unless otherwise exempted, prior to admission to any grade level in any Richmond public school, a student or his parent or guardian must submit documentary proof of immunizations to the admitting official. If the student does not have the required documentation, the school shall notify the student and his parent or guardian that (1) it has no documentary proof of immunization for the student; (2) the student may not be admitted to school with proof unless the student falls into a category that is exempt from exclusion by law; (3) and how and from whom to obtain services to comply with the regulation.

No certificate of immunization shall be required for school admission if (1) the student, parent or guardian submits and notarized statement that the administration of immunizations conflict with religious beliefs, (2) the school has written certification from a licensed physician, licensed nurse practitioner or local health department that one or more of the required immunizations may be detrimental to the

student's health, or (3) the student is a homeless child or youth. If a homeless child or youth does not have documentary proof of immunizations or has incomplete immunizations, and is not otherwise exempted from immunizations pursuant to (1) or (2) above, the school division's Homeless Education Liaison shall assist in obtaining proof of or completing immunizations as required.

Any student whose immunizations are incomplete may be admitted conditionally if the student provides documentation at the time of enrollment of having received a least one dose of the required immunizations accompanied by a schedule for completion of the required doses within ninety (90) days. Any student failing to comply with his schedule shall be excluded from school until his immunizations are resumed.

Immunization records shall be maintained in the student's health folder. Documentary proof of immunization shall be provided to the student or parent or guardian upon written request.

### **Street Address**

Documents submitted for admission of a child to Richmond Public Schools (except birth certificates and physical examination reports) shall include the street address or route number of his residence. If no street address or route number exists for such residence, a post office box number shall be required. If a street address, route number or post office box number cannot be provided because the student is a homeless child or youth, and the person seeking to enroll the student furnishes to the school division an affidavit so stating, the school division may accept an address in an alternate form it deems appropriate.

### **Criminal Convictions and Delinquency**

The parent, guardian, or other person having control or charge of a child of school age must provide, upon registration;

- (1) A sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense of the following offenses as defined by the Code of Virginia:
  - (a) A firearm offense pursuant to Article 4 (§ 18.2-279 et seq.), 5 (§ 18.2-288 et seq.), 6 (§ 18.2-299 et seq.), or 7 (§ 18.2-308 et seq.) of Chapter 7 of Title 18.2;
  - (b) Homicide, pursuant to Article 1 (§ 18.2-30 et seq.) of Chapter 4 of Title 18.2;
  - (c) Felonious assault and bodily wounding, pursuant to Article 4 (§ 18.2-51 et seq.) of Chapter 4 of Title 18.2;
  - (d) Criminal sexual assault, pursuant to Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2;
  - (e) Manufacture, sale, gift, distribution or possession of Schedule I or II controlled substances, pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;
  - (f) Manufacture, sale or distribution of marijuana pursuant to Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2;

- (g) Arson and related crimes, pursuant to Article 1 (§ 18.2-77 et seq.) of Chapter 5 of Title 18.2;
- (h) Burglary and related offenses, pursuant to §§ 18.2-89 through 18.2-93;
- (i) Robbery pursuant to § 18.2-58;
- (j) Prohibited street gang participation pursuant to § 18.2-46.2;
- (k) Recruitment of other juveniles for a criminal street gang activity pursuant to §18.2-46.3; and
- (l) An act of violence by a mob pursuant to § 18.2-42.1.

The parent or guardian must also report any offense which is substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories.

The sworn statement shall be maintained as provided in the Code of Virginia § 22.1-288.2 and will not become a part of the student's permanent record unless the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense. If disciplinary action is taken for the offense, the information shall become a part of the student's disciplinary record.

(2) A sworn statement or affirmation indicating whether the student has been expelled from school attendance at a private school or in a public school division of the Commonwealth or in another state for an offense in violation of school board policies relating to weapons, alcohol or drugs, or for the willful infliction of injury to another person. This document shall be maintained as a part of the student's scholastic record.

When the child is registered as a result of a foster care placement information regarding criminal convictions and delinquency in this sub-section shall be furnished by the local social services agency or licensed child-placing agency that made the foster care placement.

Any person making a materially false statement or affirmation shall be guilty upon conviction of a Class 3 misdemeanor.

#### **Nonresidents**

##### a. Generally

The enrollment of nonresident students shall be subject to the availability of space and to the approval of the division superintendent, upon the advice of the appropriate principal, and contingent upon the payment of the tuition established by the School Board in accordance with Policy 3-3.16. Nonresident high school students taking less than a full schedule shall pay tuition on a prorated basis. Students whose parents or legal guardians move from the City of Richmond after February 1 may continue in school without charge for the remainder of the school year.

##### b. Exceptions



In the interest of providing educational continuity to certain students shall be permitted to attend Richmond Public Schools free of charge under the following circumstances:

- (1) Children of active duty military personnel attending a school free of charge in accordance with this section shall not be charged tuition upon such child's relocation to military housing located in another school division in the Commonwealth, pursuant to orders received by such child's parent to relocate to base housing and forfeit his military housing allowance. Such children shall be allowed to continue attending school in Richmond Public Schools, provided that it was the school division they attended immediately prior to the relocation and shall not be charged tuition for attending school. Such children shall be counted in the Richmond Public Schools' average daily membership. Richmond Public Schools shall not, however, be responsible for providing for their transportation to and from school;
- (2) Certain students who have become homeless during the school year in accordance with the McKinney-Vento Homeless Assistance Act; and
- (3) Students who are placed in foster care within another school division or in who are placed in foster care in another zone within the school division when school staff and the social services agency have determined, in writing, that it is in the student's best interest to remain enrolled in the school the student attended prior to foster care placement.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-4.1, 22.1-5, 22.1-255, 22.1-260, 22.1-270, and 22.1-271.2.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-2.3 SCHOOL REGISTRATION OF HOMELESS STUDENTS**

The School Board of the City of Richmond is committed to educating homeless children and youth and will serve each homeless student according to the student's best interest. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless.

The School Board and school division shall comply with the requirements of the McKinney-Vento Homeless Assistance Act, with respect to the enrollment of homeless children and youth. The division superintendent shall promulgate regulations and/or procedures consistent with the requirements of the Act and the provisions of this policy.

**LEGAL REFERENCE:** 20 U.S.C. §6399; 42 U.S.C. §§ 11302, 11431 et seq.; Code of Virginia, 1950, as amended, §§22.1-3, 22.1-70, 22.1-78, 22.1-270; Superintendent's Memo No. 64 (Dec. 5, 2003).

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-2.4 STUDENT ATTENDANCE AND ABSENCES/TRUANCY**

#### **Generally**

The School Board of the City of Richmond considers regular class attendance an essential element in the educational process to achieve optimum learning. Student attendance is a cooperative effort and the School Board shall involve parents and students in accepting the responsibility for good

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

Student attendance shall be monitored and reported as required by state law and regulations. Nothing in this policy shall be construed to limit in any way the authority of any attendance officer or the division superintendent to seek immediate compliance with the compulsory school attendance law.

### **Truancy**

A reasonable effort shall be made to contact a parent/guardian of each absent student every day, and to obtain an explanation for the student's absence, where there is no indication that the student's parent is aware of and supports the absence.

#### **a. Upon Fifth Absence Without Parental Awareness and Support**

If (1) a student fails to report to school for a total of five scheduled school days for the school year, (2) there is no indication that the student's parent is aware of and supports the absence; and (3) reasonable efforts to notify the parent of the absences have failed, then the principal or his designee or the attendance officer shall make a reasonable effort to ensure that direct contact is made with the parent, either in person or through telephone conversation, to obtain an explanation for the student's absence and to explain to the parent the consequences of continued nonattendance. The school principal or his designee or the attendance officer, the student, and the student's parent shall jointly develop a plan to resolve the student's nonattendance. Such plan shall include documentation of the reasons for the student's nonattendance.

#### **b. Upon Sixth Absence Without Parental Awareness and Support**

If the student is absent an additional day after direct contact with the student's parent and the attendance officer has received no indication that the student's parent is aware of and supports the student's absence, either the school principal or his designee or the attendance officer shall schedule a conference within ten school days, which must take place no later than the fifteenth school day after the sixth absence. At the conference, the student, his parent, and school personnel, shall meet to resolve issues related to the student's nonattendance. Other community service providers may also be included in the conference.

#### **c. Upon Additional Absence Without Parental Awareness and Support**

Upon the next absence after the conference without indication to the attendance officer that the student's parent is aware of and supports the student's absence, the principal or designee shall notify the attendance officer or division superintendent or his/her designee who shall enforce the compulsory attendance rules by either or both of the following: (1) filing a complaint with the juvenile and domestic relations court alleging the student is a child in need of supervision as defined in § 16.1-228 of the Code of Virginia or (2) instituting proceedings against the parent pursuant to § 18.2-371 or § 22.1-262 of the Code of Virginia. In filing a complaint against the student, the attendance officer shall provide written documentation of the efforts already undertaken to resolve the student's absence. If the student's parents have joint physical custody of the student and the school has notice of the custody arrangement, then both parents shall be notified at their last known addresses.

#### **d. Parental Cooperation in Remediating Excessive Unexcused Absences**

It is expected that parents will cooperate with the attendance officer and other school officials to remedy the student's attendance problem. Where direct contact with a parent cannot be made, despite reasonable efforts, or where parents otherwise fail to cooperate in remedying the student's attendance problem, the division superintendent or his/her designee may seek immediate compliance with the compulsory school attendance laws. The attendance officer, with the knowledge and approval of the division superintendent, shall institute proceedings against any parent who fails to comply with the requirements of the compulsory attendance laws. Where the complaint arises out of the parent's failure to comply with the requirements of § 22.1-258 of the Code of Virginia, the attendance officer shall document the school division's compliance with this policy.

e. Report for Suspension of Driver's License

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

**Student Attendance and Absences**

a. Generally

Students shall attend school for a full day unless otherwise excused. Secondary students shall be scheduled for a full school day unless they are enrolled in a cooperative work-study program. All other exceptions to a full-day schedule must be approved on an individual basis by the division superintendent or his/her designee.

b. Excused Absences

Excused absences are absences resulting from conditions beyond the control of the student, the parent or guardian, or the school. The following are acceptable excuses for absences from school: (1) personal illness; (2) personal court appearance; (3) death in the family (including mother, father, spouse, son, daughter, sister, brother, grandparent; aunt, uncle, nephew or niece); (3) religious holidays regularly observed by the student as part of his or her personal religious practice; and (4) extenuating circumstances as approved by the school administration. For personal illness beyond three days, a doctor's note shall be required. School administration, in its discretion, may require documentation of any court appearance. Students are considered present and are marked present on all school records when participating in field trips, athletic events, student government activities, and other functions sanctioned by the school. All other absences (including tardiness and leaving school without permission) are deemed unexcused absences.

c. Religious Holidays

Absence from school because of a religious holiday shall be considered an excused absence. The division superintendent's regulations will include procedures for excusing students who are absent by reason of observance of a religious holiday. Such regulations will ensure that a student is not deprived of any award or of eligibility or opportunity to compete for any award, or of the right to take an alternate test or examination, which he missed by reason of such absence, if the absence is verified in an acceptable manner.

d. Notification of Absences

Students who are absent from school must bring a valid note stating the reason for absence upon returning to school. Unexcused absences shall be handled according to regulations issued by the division superintendent.

e. Unexcused Absences

Students shall not be absent from school without a valid excuse for more than six (6) days (three (3) if on a block schedule) per nine-week period in order to receive academic credit for the grade or subject(s) in which enrolled. Unexcused absences in excess of six (6) (or three (3) if on a block schedule) shall result in failure for the nine-week grading period.

Students shall not be absent from school without a valid excuse for more than ten (10) days (five (5) if on a block schedule) per semester in order to receive academic credit for the grade or subject(s) in which enrolled. Unexcused absences in excess of ten (10) (or five (5) if on a block schedule) shall result in failure for the semester.

The accumulation of absences begins again at the start of the second semester. Absences resulting from short-term or long-term out-of-school suspension shall not be counted as unexcused absences pursuant to this policy.

(1) *Provisions for Students Who Exceed the Maximum Number of Unexcused Absences*

The following options may be utilized with students who have failed because of attendance prior to the completion of the school year:

- (i) enroll the student in a semester course(s);
- (ii) allow the student to take the equivalent of one semester of summer school if he successfully completes the requirements for credit for one semester (academic and attendance); or
- (iii) develop an alternative education plan which includes: (a) description of the program; (b) maximum number of credits that can be awarded; (c) maximum number of absences; and (d) conduct conditions. The alternative plan must be approved by the principal and the division superintendent or his/her designee. A contract signed by the principal, parent(s) or guardian(s), student and division superintendent or his/her designee shall govern the program.

(2) *Grading Elementary School Students Who Exceed the Maximum Number of Unexcused Absences*

- (i) Report Cards: The actual grade(s) made by the student shall be entered on the report card, however, the portion of the report card designated for the grade assignment shall reflect a repeat of the grade level due to excessive absences.
- (ii) Permanent Records: The actual grade(s) made by the student shall be entered on the permanent record, however, the portion of the report card designated for the grade assignment shall reflect a repeat of the grade level due to excessive absences.

(3) *Grading Middle and High School Students Who Exceed the Maximum Number of Unexcused Absences*

- (i) **Report Cards:** The actual grade(s) made by the student shall be entered on the report card. A credit of "0" shall be recorded. The following statement shall be placed on the report card: "Although grades were recorded, the student is not eligible to receive a unit of credit or any fractional part thereof due to excessive absences."
- (ii) **Permanent Records:** The actual grade(s) made by the student shall be entered on the permanent record. The course will carry no Carnegie unit of credit; a credit of "0" shall be recorded. The course(s) will not be included in the calculation of grade point average. The following statement shall be placed on the permanent record: "Although grades were recorded, the student is not eligible to receive a unit of credit or any fractional part thereof due to excessive absences."
- (iii) **Class Rank:** The grade(s) earned by a student who does not receive academic credit (a Carnegie unit) due to excessive absences shall not be calculated into the grade point average.

f. **Transfer Students**

Students who transfer from other school divisions are not penalized for absences prior to the day of enrollment in Richmond Public Schools; however, transfer students may not be absent for more than the pro-rated share of the allowable number of unexcused absences per nine-week period or per semester. When a student transfers from one school to another within the school division, the number of absences is transferred and applied toward the maximum allowable number. City of Richmond residents who enter school late may be required to make up school work/time or to have the days counted toward the maximum allowable number of absences.

g. **Make-Up Work**

Credit for make-up work will be granted only for absences that are pre-approved in writing, or with a written note from the parent when the student returns to school. Medical documentation may be required at the principal's discretion. Students absent from school due to long-term and short-term suspensions shall be required to make up work missed during the suspension pursuant to School Board policy.

**Early Dismissal**

No school child shall be permitted to leave school prior to dismissal at the request of or in the company of anyone other than a school employee, a police officer, a court official, or the parent who has custody of the child unless permission of such parent be first secured. Schools shall abide by applicable court orders issued by a court of competent jurisdiction regarding custodial matters.

No student shall be allowed to depart before the appointed hour of closing of school except in cases of sickness or for some pressing emergency and then only with the consent of the principal. Students obtaining permission to leave school during school hours due to sickness shall be required to return a special form properly signed by the parent or legal guardian. All notes of excuse or requests to leave school shall state the reason for such excuse or request. The principal shall judge the validity of all such excuses and requests.

### **Compulsory Summer School Attendance and Remediation Programs**

Any student who does not pass the any of the Standards of Learning assessments in grades three, five or eight shall be required to attend a summer school program or to participate in another form of remediation. Any student who passes one or more, but not all of the Standards of Learning assessments in grades three, five and eight may be required to attend a remediation program.

The division superintendent may seek immediate compliance with the compulsory attendance law for any student who is required to attend a special program of prevention, intervention, or remediation during the summer school session or to participate in another form of remediation if the division superintendent determines:

- (1) improvement in the student's poor academic performance, or passage of the Standards of Learning assessment in grades three, five or eight, or promotion is directly related to his attendance in the summer school program or participation in another form of remediation; and
- (2) reasonable efforts to seek the student's attendance in such session have failed (including direct notification of the parents or guardians of the student of the attendance requirement and their inability to secure the student's attendance).

### **Waiver of Attendance Policy**

Under certain conditions, a waiver of these attendance policies may be considered by the division superintendent. The student and his parent(s) or legal guardian(s) may request, and the division superintendent or his/her designee may grant, a waiver for the following reason(s): (1) medical hardship (condition whereby a student could not attend as certified by a licensed physician); (2) extenuating educational circumstances as determined by a committee appointed by the division superintendent or his/her designee or a special education eligibility committee; or (3) circumstances relating to transfer students as approved by a committee appointed by the division superintendent or his/her designee.

The request for a waiver shall be made in writing and may be made at any time during the school year during which an attendance violation occurs or up to the first day of school for students of the next school year. The correspondence shall be directed to the division superintendent or his/her designee and shall include: (a) the total number of student absences; (b) the reason(s) for the absences and (c) the conditions under which a waiver is being sought, e.g. medical hardship, extenuating education circumstances, or circumstances relating to transfer students.

The provisions for the waiver may include submission of missed work as outlined in a contract signed by the student, parent(s) and/or legal guardian(s), committee chairman, and school principal.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§22.1-254, 22.1-258 through 22.1-269, 22.1-279.3, 46.2-323, and 46.2-334.001; 8 VAC 20-110-10 et seq.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-2.5**

**SCHOOL AND CLASSROOM ASSIGNMENT**

**Assignment**

Student assignments within the school are to be evaluated annually; however, this does not preclude evaluation and reassignment at any time during the school year when it is to the student's advantage. Prior to a reassignment pursuant to this sub-section, a conference shall be held with the student's parent or guardian. The assignment of a student is the responsibility of the principal upon the recommendation of the classroom teacher and other professional staff.

### **Reassignments**

Occasionally, the division superintendent or his/her designee may deem it necessary to reassign students from their zoned schools to other comprehensive or alternative schools for a set period of time in order to maintain a safe and orderly environment and prevent possible future harm to students. A reassignment to another comprehensive school pursuant to this sub-section is administrative in nature and the decision of the division superintendent or his/her designee is final. The reassignment to an alternative school is administrative in nature and the decision of the division superintendent or his/her designee is final unless altered by the School Board, upon timely written petition, as established by regulation, by the student or his/her parent or guardian, for a review of the record by the School Board. The student shall abide by the reassignment determination of the division superintendent or his/her designee unless altered by the School Board based upon a written petition for appeal as previously stated.

During the pending of an appeal of a reassignment to an alternative school, the student must attend the alternative school, unless otherwise required by law. If the student does not attend the alternative school as assigned, the days missed will be counted as unexcused absences and may be referred to the attendance officer.

### **Classroom Assignment for Twins**

A parent of twins or higher order multiples in the same grade level may request that the children be placed in the same classroom or in separate classrooms if they are at the same elementary school. A parent must request the classroom placement no later than three (3) days after the first day of each school year or three (3) days after the first day of attendance of the children during a school year. Schools may recommend classroom placement to the parent.

Schools must provide the placement requested by the children's parent, unless the division superintendent or his designee makes a classroom placement determination following the school principal's request, at the end of the initial grading period, and in consultation with the children's classroom teacher, based upon a determination that the requested classroom placement is disruptive to the school or is harmful to the children's educational progress.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-79.3.F, and 22.1-277.2:1.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-2.6            OPEN ENROLLMENT**

The School Board of the City of Richmond supports and encourages families to be active and engaged participants in their neighborhood zoned schools. However, a student may seek to enroll in an out-of-zone school with limited space availability through a process prescribed by procedures developed in accordance with this open enrollment policy by the administration of Richmond Public Schools.

Parents or guardians of dependent children who are full-time employees of Richmond Public Schools seeking enrollment in an out-of-zone school with limited space availability and who are residents of the City of Richmond will be entered into the open enrollment process or, in the case of specialty or alternative programs, enter the prescribed admissions process for that placement.

Subject to the approval of the division superintendent or his/her designee, parents or guardians of dependent children who are full-time employees of Richmond Public Schools and who are not residents of the City of Richmond may enroll their children in Richmond Public Schools on a tuition waived basis, subject to the availability of space, as determined after Richmond Public Schools has met all local, state and federal requirements regarding the enrollment of resident children, including fully exhausting all open enrollment options. This shall not be deemed to include alternative public school programs for which Richmond Public Schools is assessed per pupil tuition. Any children of an employee attending a Richmond Public Schools facility through placement made prior to January 4, 2010 may continue in that placement through the terminal grade offered at that school.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-79.

Adopted \_\_\_\_\_, 2012

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## SECTION VIII – STUDENTS

### ARTICLE III STUDENT CONDUCT AND DISCIPLINE

#### POLICY 8-3.1 STUDENT CONDUCT

##### **Student Rights**

Every student has the right to be educated in a safe, respectful and inviting environment and a responsibility not to deny this right to any other student. The school shall protect the rights of students to attend school and participate in all activities of the school. *It is the responsibility of the School Board of the City of Richmond and the administration to issue regulations establishing rules of conduct from student behavior in order to protect the health, safety and welfare of its students.* It is imperative that each student exercise responsible conduct in accordance with the rules and regulations that have been established by Richmond Public Schools.

##### **General Conduct**

Students are expected to maintain positive conduct that is consistent with the following Guiding Principles, including, but not limited to:

1. Respect;
2. Responsibility;
3. Appreciation of differences;
4. Honesty;
5. Safety; and
6. Lifelong learning.

To that end, each school is expected to develop and implement a school-wide Positive Behavior Support and Discipline Plan. The plan will be aligned with the Richmond Public Schools *Standards of Student Conduct*.

Within the plan, conduct issues are to be addressed by implementing proactive strategies to provide positive behavior support. These include defining and teaching behavioral expectations, acknowledging and reinforcing appropriate behavior, developing a continuum of responses for problem behavior and reviewing and analyzing discipline data to evaluate the effectiveness of the plan. When a student ceases to maintain acceptable conduct, the school shall make every effort to support the student in developing improved behavior through conferences and close contact with the student's parent or guardian, and through the use of all available school and community resources.

##### **Profane or Obscene Language or Conduct**

Richmond Public Schools' *Standards of Student Conduct* shall prohibit profane or obscene language or conduct.

##### **Enforcement of the *Standards of Student Conduct***

The division superintendent shall issue Standards of Student Conduct and a list of possible corrective actions for violations of the Standards of Student Conduct. The Standards of Student Conduct are designed to define the basic rules and major expectations of students.

Building administrators are responsible for ensuring that all students, staff members, and parents or guardians are provided the opportunity to become familiar with this policy. Every employee of Richmond Public Schools shall enforce the *Standards of Student Conduct* and shall report all known violations to the appropriate building administrator. All building administrators shall discipline students in a fair and consistent manner that is in accordance with the *Standards of Student Conduct*. Any employee found to be in violation of this policy shall be subject to discipline, up to and including dismissal.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §§22.1-279.3 and 22.1-279.6

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.2 ACCEPTABLE COMPUTER SYSTEM USE**

The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term "computer system" includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape decks, servers, mainframe and personal computers, the internet and other internal or external networks.

All use of the school division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account, may be monitored or read by school officials.

The division superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system.

The procedures shall include:

1. A prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
2. Provisions, including the selection and operation of a technology protection measure for the division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
  - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
  - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
  - (c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
3. Provisions establishing that the technology protection measure is enforced during any use of the Division's computers by minors;
4. Provisions establishing that the online activities of minors will be monitored;

5. Provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
6. Provisions designed to prevent unauthorized online access by minors, including “hacking” and other unlawful activities by minors online;
7. Provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors; and
8. A component of Internet safety for students that is integrated in the division’s instructional program.

Use of the school division’s computer system shall be consistent with the educational or instructional mission or administrative function of the school division as well as the varied instructional needs, learning styles, abilities and developmental levels of students. The school division’s computer system is not a public forum.

Each teacher, administrator, student and parent/guardian of each student shall sign the Acceptable Computer System Use Agreement, before using the school division’s computer system. The failure of any student, teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The School Board will review, amend if necessary, and approve this policy every two years.

**LEGAL REFERENCE:** 18 U.S.C. §§ 1460, 2256; 47 U.S.C. § 254; Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.3 BULLYING AND OTHER THREATENING BEHAVIOR**

Bullying is defined as direct behaviors, such as teasing, taunting, threatening, hitting and stealing, that are initiated by one (1) or more students against a victim or victims. In addition to direct attacks, bullying may also be indirect, such as spreading rumors that cause victims to be socially isolated through intentional exclusion. Bullying may also be initiated by the use any electronic communication technology including computer systems, telephones, pagers, or instant messaging systems.

All students have the right to be educated in an atmosphere that is free from fear, intimidation and harassment. Bullying, teasing, hazing, or other acts of intimidation, in any form, can have long-term negative effects on the emotional and educational well being of students and are therefore prohibited. Such prohibited conduct includes (in addition to those bullying behaviors described above), but is not limited to, any verbal, written, electronic, physical or mental teasing, or threat of bodily injury or use of force directed toward another person for any reason.

The consequences for incidents of bullying shall be consistent with those for assault and battery, as described in the Standards of Student Conduct.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-3.4      DESTRUCTION OR DEFACEMENT OF SCHOOL PROPERTY**

When a student has damaged, destroyed, or defaced any school property, including, but not limited to, textbooks, calculators, uniforms, computers, lockers, and any and all other school issued items, the student or his/her parent or guardian shall be required to pay the amount lost thereby in addition to any disciplinary action taken against the student as a result of the damage, destruction or defacement. The principal shall secure estimates to determine the cost of repairs or replacement so that the property is restored to its previous condition and so inform the Office of the Superintendent.

The School Board may institute an action and recover from the parents or either of them of any minor living with such parents or either of them for damages suffered by reason of the willful or malicious destruction of, or damage to, school property by such minor. No more than \$2,500.00 may be recovered from such parents or either of them as a result of any incident or occurrence on which such action is based.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 8.01-43, 18.2-138, 22.1-280.4

Adopted \_\_\_\_\_, 2012

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**POLICY 8-3.5      EXCHANGING GIFTS**

Exchange of gifts between individual students and teachers or other staff personnel is to be discouraged. Extreme discretion should be used by teachers, however, to avoid instances where a charitable spirit may be damaged or where a student's feelings may be hurt.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-3.6      STUDENT USE OF MOTOR VEHICLES AND PARKING**

Student use of private motor vehicles for transportation to and from school is discouraged by the School Board of the City of Richmond. School bus transportation is provided for all students who live beyond a reasonable walking distance or who must walk over a dangerous route to school.

Parking facilities are provided at all high schools as a convenience to those students who must drive to school. Parking on school grounds is a privilege that may be granted by principals to students. The division superintendent is directed to develop regulations to assist principals in enforcing this policy. The regulations should include a method to register such vehicles and monitor student use of vehicles while on school grounds. Principals may revoke the parking privileges of any student who does not comply with the supporting regulations. Student-operated vehicles are subject to be searched pursuant to Policy 8-3.9.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.7 REMOVAL OF STUDENTS FROM CLASS**

A teacher shall have the initial authority to remove a student from class for disruptive behavior. Disruptive behavior is defined as a violation of school board regulations governing student conduct that interrupts or obstructs the learning environment.

The School Board of the City of Richmond shall establish, within the regulations governing student conduct the following:

1. Criteria for the removal of a student from class;
2. Requirements for incident reports of disruptive behavior to school administrators and any other documentation to support such removal from class;
3. Procedures for the written notification to a student and his/her parent or guardian of any incident report and its contents and for the opportunity to meet with the teacher and school administrators to discuss the student's behavior and the possible consequences if such behavior does not cease;
4. Guidelines for the alternative assignment and instruction of such student and for the duration of such removal; and
5. Procedures for the return of the student to class, for teacher participation in any decision by the principal to return a student to the class from which he/she has been removed, and for the resolution of any disagreements between such principal and teacher regarding such return.

The principal shall ensure that a student removed from class under this policy continues to receive an education in accordance with school board policies.

Application of this policy to a student with a disability shall be consistent with federal and state laws and regulations as well as school board policy regarding students with disabilities.

Teachers are expected to use a variety of classroom management strategies that encourage and reward appropriate behavior and to develop individual behavior intervention plans to address chronic behavior problems. The school division may provide ongoing support and professional development opportunities in these areas. Any teacher whose evaluation indicates deficiencies in the management of student conduct may be required by the division superintendent or his/her designee to attend professional development activities designed to improve classroom management and disciplinary skills.

This policy does not limit or restrict the ability of School Board employees to apply other policies, regulations or laws for maintaining order in the classroom.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-276.2

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.8 CORPORAL PUNISHMENT**

The use of corporal punishment is prohibited by any School Board employee. For purposes of this section, "corporal punishment" means the infliction of or causing the infliction of physical pain on a student as a means of discipline.

The definitions "corporal punishment" and "abuse or neglect" do not include physical pain, injury or discomfort caused by the use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control as permitted in subsection (1) below or the use of reasonable and necessary force as permitted by subsections (2), (3), (4) and (5) below or by participation in practice or competition in an interscholastic sport, or participation in physical education or an extracurricular activity.

The above prohibition of corporal punishment shall not be deemed to prevent the following:

1. The use of incidental, minor or reasonable physical contact or other actions designed to maintain order and control;
2. The use of reasonable and necessary force to quell a disturbance or remove a student from the scene of a disturbance which threatens physical injury to persons or damage to property;
3. The use of reasonable and necessary force to prevent a student from inflicting physical harm on him/herself;
4. The use of reasonable and necessary force for self-defense or the defense of others; or
5. The use of reasonable and necessary force to obtain possession of weapons or other dangerous objects or controlled substances or paraphernalia which are upon the person of the student or within his/her control.

In determining whether an employee was acting within the exceptions cited above, due deference will be given to reasonable judgments of the employee at the time of the events.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-279.1, 63.2-1511.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.9            SEARCH AND SEIZURE**

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, student lockers, student desks, or automobiles driven to school by students and/or automobiles parked on school property and may seize any illegal, unauthorized, or contraband materials discovered in the search, consistent with applicable law.

As used in this policy, the term "unauthorized" means any item that: (1) violates the law; (2) is dangerous to the health or safety of students or school personnel; (3) is disruptive of any lawful function, mission or process of the school; or (4) is described as unauthorized in school rules available beforehand to the student.

A student's expectation of privacy and freedom from unreasonable search and seizure must be balanced against the school division's responsibility to protect the health, safety and welfare of all persons within the school community and maintain a safe learning environment for all students. The locations at which searches of students and student property may be conducted are not limited to the school building or school property, but may be conducted wherever the student is involved in a school-sponsored function.

If illegal, unauthorized materials are found during a search, law enforcement officials shall be notified and the relevant Standard(s) of Student Conduct shall be enforced.

### **Locker Searches**

Lockers and other storage facilities made available to students for temporary storage of their personal possessions remain under the joint control of the students and the school administration. The school administration has the right to search lockers, desks, and other storage facilities for unauthorized items. Lockers and other storage facilities are subject to periodic searches for any reason at any time without notice, without student consent, and without a search warrant.

### **Computer Searches**

School computers, software and internet access are school property. Students are only authorized to use school computers and other similar educational technology consistent with the educational mission of the school. School officials may search school computers, software, accessories used with school computers and internet access records at any time for any reason and without student consent.

### **Personal Searches**

The school administration may also search property belonging to students when there is a reasonable basis to believe that the student has violated or is about to violate the law or a school rule and that the search will yield evidence of that violation. Property belonging to a student includes, but is not limited to, items that can be connected to a student, carried by a student, or stored by a student in areas made available to the student by the school, and may include, but is not limited to, backpacks, book bags, handbags, notebooks and books.

The school administration also has the right to search any student's person when there is a reasonable basis to believe that the student is in possession of an unauthorized item. A pat down search of a student may only be conducted if a school administrator has established a high level of reasonable suspicion that evidence will be found to corroborate suspicion that a law or school rule has been broken. If a pat down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness of the same sex present.

Strip searches may be conducted only when an extremely serious situation exists requiring immediate action. Such a search should be used only in the context of imminent threat of death or great bodily injury to any person. A strip search, when warranted, may be conducted only by a sworn law enforcement officer of the same sex as the person to be searched and shall be conducted in the presence of a same-sex witness. The sworn law enforcement officer shall consult with the building principal and the Office of Safety and Security prior to conducting the search. No Richmond Public Schools' employee shall engage in the strip search of any student.

### **Metal Detectors**

Richmond Public Schools' Office of Safety and Security is authorized to use metal detectors to aid in searches in accordance with applicable law and Richmond Public Schools' administrative regulations. Metal detectors may be used when school administrators have individualized suspicion that a student possesses property that threatens the safety of students and school personnel. They may also be used on a random basis to deter the possession of weapons and other illegal and/or dangerous objects.

### **Canine Searches**

Richmond Public Schools' Department of Safety and Security is also authorized to use, in conjunction with the City of Richmond Police Department, canine teams to aid in searches for illegal drugs. All canine searches shall be conducted in accordance with applicable law and Richmond Public Schools' administrative regulations. Canine searches may be conducted when school administrators have individualized suspicion that a student may possess illegal drugs. They may also be conducted on a random basis to deter the possession and/or distribution of illegal drugs.

### **Surveillance Cameras**

Surveillance cameras are in use in school facilities and on school buses to promote safety and to encourage reasonable orderliness in school, on school property, at school functions, and on school buses. Any person entering a school facility, on school property, at a school function, or riding a school bus is subject to be videotaped.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, § 22.1-279.7.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.10 INTERROGATION AND ARREST**

When any law enforcement officer requests to interrogate a student while on school property, the principal or his designee shall be contacted immediately. The principal or his designee shall make a reasonable effort to contact the parent or guardian and have the parent or guardian present for the interrogation. Law enforcement officers shall not be allowed to interrogate a student on school property unless a school representative, the student's parent or guardian or the student's attorney is present. If the parent, guardian or attorney cannot be contacted or cannot be present, the principal or his designee shall be present.

Parental permission is not required when law enforcement officers seek to interview students who are witnesses to or victims of crimes, as long as the law enforcement officer ascertains that the student is capable of and does consent to being interviewed. Student consent is not required when law enforcement has a warrant for the arrest of a student.

Interviewing of students by Child Protective Services investigators relating to incidents of alleged abuse and neglect is governed by Policy 8-5.8 – Child Abuse. Pursuant to that policy, Child Protective Services investigators shall have access to school facilities for the purpose of conducting confidential interviews in accordance with all laws governing the conduct of such interviews.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, § 22.1-78.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-3.11 IN-SCHOOL DISCIPLINARY ALTERNATIVES**

As provided in the *Standards of Student Conduct*, building administrators may utilize in-school suspension or other in-school disciplinary alternatives as a consequence for a student's disciplinary infraction.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, § 22.1-78.



Adopted \_\_\_\_\_, 2012

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## **POLICY 8-3.12 STUDENT SUSPENSIONS AND EXPULSIONS**

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

### **Short-Term Suspensions**

A student may be suspended for not more than ten (10) school days by either the school principal, any assistant principal, or, in their absence, any teacher, if such authority is delegated. The principal, assistant principal, or teacher may suspend the student after giving the student oral or written notice of the charges against him/her and, if he/she denies them, an explanation of the facts as known to school personnel and an opportunity to present his/her version of what occurred. In the case of any student whose presence poses a continuing danger to persons or property, or whose presence is an ongoing threat of disruption, the student may be removed from school immediately and the notice, explanation of facts, and opportunity to present his/her version shall be given as soon as is practical thereafter.

Upon suspension of any student, the principal, assistant principal, or teacher responsible for such suspension shall report the facts of the case in writing to the division superintendent or his/her designee and the parent or guardian of the student suspended. The division superintendent or his/her designee shall review forthwith the action taken by the principal, assistant principal, or teacher upon a petition for such review by any party in interest and confirm or disapprove such action based on an examination of the record of the student's behavior. The student shall remain on out-of-school suspension while awaiting the decision of the division superintendent or his/her designee. The decision of the division superintendent or his/her designee shall be final.

Any oral or written notice to the parent or guardian of a student who is suspended from school attendance for not more than ten (10) days shall include notification of the length of the suspension, information regarding the availability of community-based educational programs, alternative education programs or other educational options, and of the student's right to return to regular school attendance upon the expiration of the suspension. The costs of any community-based educational program, or alternative education program or educational option, which is not a part of the educational program offered by the school division, shall be borne by the parent or guardian of the student.

Students with disabilities will be disciplined according to applicable state and federal law.

### **Long-Term Suspensions**

A student may be suspended from attendance at school for more than ten (10) days after written notice is provided to the student and his/her parent or guardian of the proposed action and the reasons therefore and of the right to a hearing before the division superintendent or his/her designee. The division superintendent or his/her designee shall maintain a record of hearings conducted pursuant to this subsection. The decision of the division superintendent or his/her designee may be appealed by The student's parent or guardian to the full School Board. Such appeal shall be decided by the School Board, on the preceding record, within thirty (30) days. The student shall remain on out-of-school suspension while awaiting the decision of an appeal to the full School Board.

The written notice of suspension for more than ten (10) days shall include notification of the length of the suspension and shall provide information concerning the availability of community-based educational, alternative education, or intervention programs. Such notice shall also state that the student is

eligible to return to regular school attendance upon the expiration of the suspension or to attend an appropriate alternative education program approved by the School Board during or upon the expiration of the suspension. The costs of any community-based educational, alternative education, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his/her suspension shall be borne by the parent or guardian of the student.

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

Students with disabilities will be disciplined according to applicable state and federal law.

### **Expulsion**

#### **A. Generally**

Students may be expelled from attendance at school after written notice to the student and his/her parent or guardian of the proposed action and the reasons therefore and of the right to a hearing before a committee of the School Board. Such committee may confirm or disapprove the expulsion of a student. Any such committee of the School Board shall be composed of at least three (3) members. If the committee's decision is not unanimous, the student or his/her parent or guardian will be notified that they may appeal the committee's decision to the full School Board. The written appeal to the full School Board must be filed with the Clerk of the School Board within five (5) calendar days of the committee's decision. Such appeal shall be decided by the full School Board within thirty (30) calendar days on the preceding record. No additional statements, witnesses or evidence may be presented at this appeal unless requested by the Chair of the School Board. The student shall remain out of school during the pendency of any appeals process. Failure to file a written appeal within the specified time will constitute a waiver of the right to an appeal.

The School Board, or a committee thereof, shall confirm or disapprove a proposed expulsion of a student regardless of whether the student exercised the right to a hearing.

The written notice required by this subsection shall include notification of the length of the expulsion and shall provide information to the parent or guardian of the student concerning the availability of community-based educational, training, and intervention programs. Such notice shall state further whether or not the student is eligible to return to regular school attendance, or to attend an appropriate alternative education program approved by the School Board, or an adult education program offered by the school division, during or upon the expiration of the expulsion, and the terms or conditions of such readmission. The costs of any community-based educational, training, or intervention program that is not a part of the educational program offered by the school division that the student may attend during his/her expulsion shall be borne by the parent or guardian of the student.

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

If the School Board determines that the student is ineligible to return to regular school attendance or to attend during the expulsion an alternative education program or an adult education program in the school division, the written notice shall also advise the parent or guardian of such student that the student may petition the School Board for readmission to be effective one (1) calendar year from the date of his/her expulsion, and of the conditions, if any, under which readmission may be granted.

The School Board shall establish, by regulation, a schedule pursuant to which students may apply and reapply for readmission to school. Such schedule shall be designed to ensure that any initial petition for readmission will be reviewed by the School Board or a committee thereof, or the division superintendent or his/her designee, and, if granted, would enable the student to resume school attendance one (1) calendar year from the date of the expulsion. If the division superintendent or his/her designee or a committee of the School Board denies the petition, the student may petition the School Board for a review of such denial *on the record*.

**B. Conduct Giving Rise to Expulsion**

Recommendations for expulsion for actions other than those for weapon and drug offenses shall be based on consideration of the following factors:

- (1) The nature and seriousness of the violation;
- (2) The degree of danger to the school community;
- (3) The student's disciplinary history, including the seriousness and number of previous infractions;
- (4) The appropriateness and availability of an alternative education placement or program;
- (5) The student's age and grade level;
- (6) The results of any mental health, substance abuse or special education assessments;
- (7) The student's attendance and academic records; and
- (8) Such other matters as school officials deem appropriate.

However, no decision to expel a student shall be reversed on the grounds that such factors were not considered. Nothing in this sub-section shall be deemed to preclude a School Board or committee thereof, from considering any of the factors listed above as "special circumstances" for the purposes of expulsions discussed in the following sub-sections.

Students with disabilities will be disciplined according to applicable state and federal law.

**Firearms**

The School Board shall expel from school attendance for a period of not less than one (1) year any student whom such School Board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by the Code of Virginia, 1950 as amended, §18.2-308.1, or to have possessed a firearm or destructive device, a firearm muffler or firearm silencer, or a pneumatic gun as defined by the Standards of Student Conduct on school property or at a school-sponsored activity. A School Board however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate.

**Drug Offenses**

The School Board shall expel from school attendance any student whom the School Board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined by the Code of Virginia, 1950 as amended, §18.2-247 onto school property or to a school-sponsored activity. The School Board may, however may, determine, based on the facts of the particular case that special circumstances exist and another disciplinary action is appropriate.

### **Procedure for School Board Disciplinary Committee Hearing**

The procedure for the Disciplinary Committee hearing shall be as follows:

1. The Disciplinary Committee shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. The hearing shall be private unless otherwise specified by the School Board.
2. The Disciplinary Committee may ask for opening statements from the principal or his/her representative and the student or his/her parent or guardian (or their representative) and, at its sole discretion, may allow closing statements.
3. The parties shall present their evidence. The principal shall present his/her evidence first. Witnesses may be questioned by the Disciplinary Committee members and by the parties (or their representatives). The Disciplinary Committee may, at its sole discretion, vary this procedure but shall in all cases afford a full opportunity for both parties to present any material and relevant evidence. The Disciplinary Committee may receive the testimony of student witnesses outside the presence of the student, his/her parent or guardian(s) and their representative if the Disciplinary Committee determines, in its sole discretion, that such action is necessary to protect the student witnesses.
4. Formal rules of evidence shall not apply. The Disciplinary Committee shall be the judge of the relevancy and materiality of all evidence.
5. Exhibits offered by the parties may be received in evidence by the Disciplinary Committee and, when so received, shall be made part of the record.
6. The Disciplinary Committee may, by majority vote, uphold, reject or alter the disciplinary recommendation.
7. The Disciplinary Committee shall transmit its decision to the student, his/her parent or guardian, the principal and the division superintendent or his/her designee.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-277, 22.1-277.04, 22.1-277.05, 22.1-277.06.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-3.13            COMPLETION OF ACADEMIC ASSIGNMENTS BY SUSPENDED STUDENTS**

Any student who is suspended from school, whether short-term or long-term, shall receive and complete all academic assignments (class work and homework) during the period of the suspension and submit the completed work to his or her classroom teacher(s) upon his or her return to school. In addition, the suspended student, upon his or her return, shall be administered all quizzes and/or tests given in his or her absence. A student's failure to complete academic assignments or to take quizzes or tests as required shall be addressed in accordance with the classroom policy regarding incomplete assignments.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, § 22.1-78.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-3.14            REASSIGNMENT OF CERTAIN STUDENTS**

Any student who commits an assault and/or battery on a teacher or other school employee shall be recommended for expulsion from Richmond Public Schools. A student found to have committed assault and/or battery on a teacher or other school employee (if and when such student is permitted to return to school following his/her suspension or expulsion) shall be assigned to a school other than the one to which his/her victim is assigned.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, § 22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-3.15            EXCLUSION**

A student who has been expelled or suspended for more than thirty (30) days from attendance at school by a school board or a private school in the Commonwealth of Virginia or in another state, or for whom admission has been withdrawn by a private school in this Commonwealth or in another state may be excluded from attendance by the School Board, regardless of whether such student has been admitted to another school division or private school in this Commonwealth or in another state subsequent to such expulsion, suspension, or withdrawal of admission. Such a student may be excluded after (i) written notice to the student and his/her parent or guardian that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student and his/her parent or guardian to participate in a hearing to be conducted by the division superintendent or his/her designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the division superintendent or his/her designee and the decision has been made to exclude the student from attendance. The decision of the division superintendent or his/her designee to exclude shall be final unless altered by the School Board, upon written petition to the School Board, within ten (10) school days following the decision, for a review of the record.

In the case of a suspension of more than thirty (30) days, the term of the exclusion may not exceed the duration of such suspension. In excluding any such expelled student from school attendance, the School Board may accept or waive any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Code of Virginia, 1950 as amended, §22.1-277.06. The School Board shall not impose additional conditions for readmission to school. The School Board may permit or require excluded students to attend the alternative education program for the term of such exclusion.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-277.2.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-3.16            TRANSFER OF STUDENTS**

A student shall, upon written request of the student's parent or guardian (or the student himself if an emancipated minor) be transferred to another comparable school in the school division, if available, if the student has been the victim of any crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia, which was committed by: (1) another student attending classes in the school; (2) by any employee of the School Board; or (3) by any volunteer, contract worker or other person who regularly performs services in the school; or if the crime was committed upon school property or on any school bus owned or operated by the school division. Transportation for the transferred student shall be provided in accordance with the School Board policies.

“Victim” means any student who has been the victim of a crime against the person pursuant to Chapter 4 of Title 18.2 of the Code of Virginia and who has suffered physical, psychological, or economic harm as a direct result of the commission of such crime.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-3.3.

Adopted \_\_\_\_\_, 2012

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## **SECTION VIII – STUDENTS**

### **ARTICLE IV STUDENT ACTIVITIES**

#### **POLICY 8-4.1 CLUBS AND STUDENT ORGANIZATIONS**

##### **Student Organizations (Secondary Schools)**

It is the policy of the School Board of the City of Richmond to permit the organization and operation of student organizations in the middle and high schools and to permit such organizations to meet on school premises during non-instructional time. The purpose of this policy is to establish criteria and procedures governing the operation of student organizations.

##### **Curriculum-Related Student Organizations**

Curriculum-related student organizations serve as an extension of the regular school curriculum. Their function is to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a clear relationship to the regular curriculum. Student organizations meeting these criteria and approved by the principal shall be deemed to be officially recognized, school-sponsored student organizations.

##### **Non-Curriculum-Related Organizations**

Secondary school students are also permitted to organize and conduct meetings of non-curriculum-related organizations to pursue activities outside of the school curriculum, subject to the provisions of this policy. Non-curriculum related student groups are defined as those whose primary purpose is to foster student interest in political, religious, community service or recreational activities. Such organizations must be student-initiated and directed, and school personnel, parents and any other persons who are not students enrolled in the school division are prohibited from directing, controlling, conducting or regularly attending the meetings of such organizations unless approved by the principal in advance, except that the faculty sponsor(s)/supervisor(s) must attend all meetings.

Non-curriculum-related student organizations that are student-initiated shall not be deemed to be school-sponsored or endorsed. Participation of students is voluntary and is neither encouraged nor discouraged by the school. The fact that such organizations are permitted to conduct meetings under this policy shall not constitute an expression of school division support for the purposes of such organizations or the content of any meetings thereof.

##### **Membership**

Membership in all student organizations shall be open to and limited to all students currently enrolled in the sponsoring school on a voluntary basis. This limitation does not apply to those students who are enrolled in specialty schools and who may elect to participate in student organizations or activities within their zone school. These student organizations may establish academic qualifications for membership where necessarily related to the purposes of the organization. No student shall be denied membership on account of his or her race, color, national origin, religion, or disability. Qualifications based on sex may be imposed only when based on competitive athletic skill or where the activity involved is a contact sport.

### **Faculty Supervision**

Curriculum-related student organizations shall be sponsored and supervised by one (1) or more of the members of the school faculty and approved by the principal. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

Non-curriculum-related student organizations that are student-initiated shall not have a faculty sponsor. However, a member of the school's professional staff shall attend every meeting or activity of such organizations in a non-participatory capacity for purposes of general supervision. The organization shall be responsible to assure the presence of a staff member for its meetings.

No school employee shall be compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee. School employees present at any meeting of a non-curriculum-related student organization, which includes religious worship, prayer or practice or is identified as having a religious purpose, shall attend in a non-participatory capacity only. Schools may require that students seeking to form a student organization first obtain a faculty member willing to supervise meetings.

### **Meetings of Student Organizations**

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

The principal of each school shall develop guidelines and rules concerning the procedure for scheduling meetings of student organizations and setting the times and facilities which are available for such meetings. Meeting times shall be limited to non-instructional time before or after regular classroom hours or during established activities periods. These guidelines and rules shall be made available to all students. Student organizations wishing to conduct meetings under this policy must make application to the principal for permission in accordance with division procedures. Groups that are denied permission to use school facilities under this policy by a principal may appeal the principal's decision to the division superintendent.

### **Compliance with Law and Policies**

Student organizations shall not engage in any activity which is contrary to law, division policy or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any students or staff members. Failure to comply with these provisions shall be grounds for disciplinary action. In addition, any organization found in violation of this policy shall be denied continued use of school facilities.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §§22.1-70, 22.1-78; Virginia Board of Education Rules Governing Accreditation of Public Schools in Virginia, 8 VAC 20-131-200, et seq.; 20 USC §§ 7071, et seq., Equal Access Act; Title IX, Education Amendments of 1972, 34 C.F.R. Parts 101 and 106.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-4.2            INTERSCHOLASTIC ATHLETICS**

The School Board of the City of Richmond endorses membership by its high schools in the Virginia High School League, Inc. (VHSL). The School Board approves of a broad program of interscholastic athletics for students eligible under the VHSL rules, subject to the additional academic and student conduct requirements set forth below for students participating in VHSL interscholastic athletic competition.

To be eligible to participate in the school athletic program, a student must be a bona fide student in good standing of the school he/she represents. A student's academic and behavioral performance is considered in determining whether that student is in good standing in their home school. For a student to be deemed to be in good standing they must meet the following academic and student conduct criteria:

### **Academic Requirements**

For each semester, the student shall be enrolled in no fewer than five subjects, or their equivalent, offered for credit and which may be used for graduation and shall attain or maintain a cumulative grade point average of 2.0 ("C"), or better, in accordance with the schedule of policy implementation provided below to be eligible for participation in VHSL activities.

The academic requirements detailed above shall be phased in as follows:

#### **For the 2012-2013 School Year**

9<sup>th</sup> Graders –            Must maintain a cumulative grade point average of at minimum 2.0 ("C") to be eligible for participation.

10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup>  
Graders -            Must attain a grade point average of at minimum 2.0 ("C") for the immediately preceding semester to be eligible for participation.

#### **For the 2013-2014 School Year**

9<sup>th</sup> and 10<sup>th</sup>  
Graders –            Must maintain a cumulative grade point average of at minimum 2.0 ("C") to be eligible for participation.

11<sup>th</sup> and 12<sup>th</sup>  
Graders –            Must attain a grade point average of at minimum 2.0 ("C") for the immediately preceding semester to be eligible for participation.

#### **For the 2014-2015 School Year**

9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup>  
Graders –            Must maintain a cumulative grade point average of at minimum 2.0 ("C") to be eligible for participation.

12<sup>th</sup> Graders –            Must attain a grade point average of at minimum 2.0 ("C") for the immediately preceding semester to be eligible for participation.

For the 2015-2016 and Subsequent School Years

All students – Must maintain a cumulative grade point average of at minimum 2.0 (“C”) to be eligible for participation.

**Student Conduct Requirements**

Eligible students must abide by the Standards of Student Conduct. Any student who is found to be in chronic violation of the Standards of Student Conduct or any additional rules and regulations of the school shall no longer be deemed to be in good standing and may be immediately ruled ineligible for participation in VSHL activities.

Daily attendance is an important part of student success. All student athletes must be in attendance at school at least one half of the school day (by 10:30 a.m.) in order to participate in events or practice. Any exception must be approved by the school principal or designee. In addition to other infractions, a student may be suspended or removed from a team for unexcused absences or chronic tardiness to classes or team practices.

A student may not participate in athletic activities when he/she is serving an in-school or out-of-school suspension. The student becomes eligible to participate on the next school day following the suspension.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-4.3            SPORTSMANSHIP, ETHICS AND INTEGRITY**

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

Participants and responsible adults involved in School Board approved extracurricular activities are expected to demonstrate the same level of responsibility and behavior at practice and competitions as is expected in the classroom. The School Board further encourages the development and promotion of sportsmanship, ethics and integrity in all phases of the educational process and in all segments of the community, including administrators, participants, adult supervisors, parents, fans, spirit groups and support/booster groups.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §§ 22.1-78, 22.1-201, 22.1-208, and 22.1-253.13:1.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-4.4            STUDENT PUBLICATIONS**

**Definition of Official School Publications**

School-sponsored student publications are an integral part of the learning experience and the instruction program. Official school publications such as newspapers, yearbooks, and literary magazines may be prepared in regularly scheduled classes and are components of the curriculum approved by the School Board. Students may participate in the preparation of official school publications with faculty supervision. These publications are not intended to provide a public forum for students or the general public.

Official school publications shall not include material that:

1. is obscene, defamatory, or an invasion of privacy;
2. is reasonably foreseeable to lead to the substantial disruption of school activities or to endanger the health or safety of students or staff;
3. advocates the commission of an unlawful act or the violation of a lawful school policy or regulation;
4. advertises or advocates illegal products or services; or
5. advocates prejudice, hatred, violence, or harassment on the basis of race, religion, national origin, ancestry or disability.

While students and faculty may participate in the preparation of official school publications, the school principal is responsible for approving all publications in accordance with School Board policy and his/her judgment and discretion prior to dissemination.

The unauthorized sale or distribution of nonschool-sponsored publications will not be permitted on school property at any time.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-4.5            STUDENT REPRESENTATIVES TO SCHOOL BOARD**

The School Board shall, upon the recommendation of the Administration, adopt procedures for the appointment of student representatives to the School Board. Except as provided in this policy, the student representative may fully participate in School Board meetings, to include participation in the public comment period. The student representatives shall be selected from among the students enrolled in Richmond Public Schools. The student representatives shall serve in a nonvoting advisory capacity, on a rotating basis, for a term of one month.

The student representatives to the School Board shall not be construed as members of the School Board for any purpose, including, but not limited to, establishing a quorum or making any official decision. The School Board shall exclude the student representatives from closed or executive sessions of the School Board held pursuant to the Freedom of Information Act.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-86.1.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-4.6            FUND RAISING AND SOLICITATION**

##### **Fund Raising**

All fund-raising activities conducted for the benefit of Richmond Public Schools must provide an educational benefit to students and must not interfere with the instructional program. All fund-raising activities conducted by school-sponsored organizations or clubs must be approved in advance by the principal. Fund raising refers to the raising of non appropriated funds by students, parents, or others for the educational benefit of students and their schools.

Students may participate in fund-raising activities provided such activities are approved in writing and carefully monitored and regulated by the school principal or a designee. Elementary school students may not participate in door-to-door solicitation. Students will not be excused from class to participate in fund-raising activities. No grade will be affected by a student's participation, or lack of participation, in a fund-raising activity.

Each principal shall develop and maintain a list of all approved fund raising activities and report all activities to the division superintendent pursuant to procedures issued by the division superintendent.

### **Solicitation**

Teachers shall take no collections in the schools for any purpose except those for individual class projects.

The sale to students of articles or any kind or tickets for any program except those given by the schools, shall be prohibited in and around schools except where, in the opinion of the division superintendent, an educational purpose will be served.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-4.7            CONTESTS, AWARDS AND PRIZES**

Contests or other activities involving participation by pupils or the granting of awards or prizes to pupils, which are sponsored by agencies outside of the schools, shall not be announced, promoted, or permitted within the schools unless approved by the division superintendent. The division superintendent shall approve only such contests or other activities as will be of educational value to the participating pupils, and he/she shall not approve any activity being promoted for purely commercial purposes. Questions regarding the interpretation of this policy should be referred to the division superintendent.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-4.8            PUBLIC PERFORMANCES**

School bands, orchestras, glee clubs, and choruses shall make public appearances only in the following instances:

1. at functions that are part of the school program whether held in the school building or elsewhere;
2. at community functions organized in the interests of the schools;

3. on educational broadcasts designed to acquaint the public with the work of the schools;
4. at educational meetings or conferences; or
5. at benefit performances where professional musicians would likewise donate their services

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-4.9            GRADUATION ACTIVITIES**

Graduation activities, including senior convocation and commencement, shall be organized by the school division and are limited to graduating high school seniors. Said activities shall not be permitted for middle schools or below.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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**SECTION VIII – STUDENTS**

**ARTICLE V  
STUDENT HEALTH AND WELFARE**

**POLICY 8-5.1 WELLNESS POLICY**

The School Board of the City of Richmond is committed to the health, safety and well being of its students. The School Board recognizes that the mental and physical well being of its students is vital to all students' academic and social progress. To that end, the division superintendent is directed to develop procedures to (1) promote positive and healthy self-images for students; (2) assist in the identification of students who require additional support to re-gain and/or maintain healthy self-images; (3) communicate with parents or guardians of students identified under this policy and (4) identify division-wide and community resources available to support students indentified under this policy.

In addition to the procedures required under this policy, the School Board hereby adopts the Richmond Public Schools' Local Wellness Policy as it appears in Appendix \_\_\_\_.

**LEGAL REFERENCE:** Public Law 108-265; 7 C.F.R. 210 and 220; Code of Virginia, 1950, as amended, §22.1-78; Virginia Administrative Code 8 VAC 20-580-10 et. seq.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.2 SCHOOL ASTHMA MANAGEMENT PLAN**

Asthma is a common chronic childhood illness and a major cause of student absences from school. Students with poorly controlled asthma may have greater difficulty with school work and a higher incidence of grade failure. Asthma attacks (acute episodes of symptoms) can be serious and life-threatening for students who experience them. Public school officials can help students control their asthma by helping them follow individualized asthma action plans, by minimizing students' exposure to allergens and other irritants, and by responding appropriately to students' asthma episodes. These efforts will support the academic performance and improve the health status of asthmatic students.

Each school shall prepare, adopt, and implement a comprehensive plan for the management and education of students and staff that suffer from asthmatic attacks. This plan shall be based on current research and best practices. The plan shall be developed in partnership with families, health care providers and community agencies and implemented within the context of a coordinated school health program and shall include the following provisions:

1. Asthma awareness education for students shall be integrated into health education, science, and physical education curricula at appropriate levels.
2. Employees at each school shall participate in professional development sessions that include basic information about asthma, asthma management practices, and emergency response procedures.

3. Procedures shall be established to identify students with significant asthma morbidity<sup>1</sup>, that is, students whose health, education, or quality of life are negatively impacted by their asthma.
4. Procedures shall be established to systematically identify and minimize other asthma triggers (respiratory allergens and irritants) in school buildings and on school grounds.
5. Procedures shall be established to proactively seek out those students who may suffer from asthma that is connected to indoor air quality.
6. Procedures shall be established to develop an integrated pest management (IPM) program to reduce sources of food, water, and shelter for pests in and around school buildings with procedural guidelines for pesticide application and for notification of parents/guardians and building occupants prior to the application.
7. Procedures shall be established to submit annual progress reports and recommendations for program improvements to the Superintendent and the School Board.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-78.

Adopted \_\_\_\_\_, 2012

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### **POLICY 8-5.3            STUDENT CONCUSSION POLICY**

The School Board of the City of Richmond is concerned about the short-term and long-term effects on students who suffer concussions.

#### **A.        Student-Athlete Concussions during Extracurricular Activities**

The School Board desires the safe return to activity for all student-athletes participating in extracurricular physical activities following an injury, but particularly after a concussion. The goal of this policy is to ensure (i) that coaches, school staff, volunteers, student-athletes, and their parents or guardian are aware of the short-term and long term effects of concussions; (ii) that concussed student-athletes are identified, removed from play immediately, and referred appropriately; and (iii) that concussed student-athletes are returned to play only after receiving appropriate medical care, given adequate time to heal, and are symptom free.

The division superintendent is directed to develop procedures to implement this policy to include the creation of a Concussion Management Team which shall be comprised of at a minimum, a school administrator, an athletic administrator, a licensed health care provider, a coach, a parent or guardian of a student-athlete, and a student athlete. The Concussion Management Team will be responsible for the development of concussion training materials, concussion reporting, management and review protocols, and will meet at least once per semester to review this policy and related procedures.

#### **B.        Non-Student Athlete Concussions**

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<sup>1</sup> "Morbidity" is defined as "the rate of incidence of a disease."

The division superintendent is directed to develop procedures to ensure (1) that the school nursing staff is trained to identify the signs and symptoms of concussions and to render such medical treatment as necessary; (2) that students who sustain a concussion whether on or off school premises return to school with the necessary medical clearance; and (3) that students who have returned following a concussion are appropriately integrated back into instruction.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, § 22.1-217.5.

Adopted \_\_\_\_\_, 2012

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## **POLICY 8-5.4           ADMINISTERING MEDICATION**

### **A.     General**

All medicines should be administered to students at home by their parents if at all possible. Administration of medication at school will be done only in accordance with this policy. Any student who fails to follow this policy or whose parents fail to follow this policy will be excluded from school until compliance is obtained. The principal shall determine whether or not there is compliance with the provisions of this policy.

### **B.     Prescription and Nonprescription Medication**

If a student must take prescription and nonprescription medication at school, the medication may be administered by the school nurse, the principal, or the principal's designee in accordance with the provisions of this policy:

1.     The parent must provide the principal with the medication and written instructions from the physician to include:
  - a)     student's name;
  - b)     name and purpose of medication;
  - c)     dosage and time of administration;
  - d)     possible side effects and measures to be taken if side effects occur; and
  - e)     termination date for administering the medication
  
2.     With the exception of school administrative personnel and persons employed by school boards who have the specific duty to deliver health related services, no licensed instructional employee, instructional aide, or clerical employee shall be disciplined, placed on probation or dismissed on the basis of his or her refusal to perform nonemergency health-related services for students. However, instructional aides and clerical employees may not refuse to dispense oral medications. "Health-related services" means those activities which, when performed in a health care facility, must be delivered or under the supervision of a licensed or certified professional.

### **C.     Emergency Lifesaving Measures**

1.     The parent of any student who has a condition that would require emergency, lifesaving medication or other measures must inform the principal of the condition and provide instructions from the attending physician on measures to be taken, including administering any medication. These instructions should cover measures to be taken while the student may be on a school bus or other times when medication is not immediately available.



2. In school buildings with an instructional and administrative staff of ten or more, at least two employees shall have current training or have received training in the past two years in emergency first aid and cardiopulmonary resuscitation, and if one or more students attending such school has been diagnosed with diabetes, at least two employees shall have been trained in the administration of insulin and glucagon. In school buildings with an instructional and administrative staff of fewer than ten, at least one employee shall have current training or shall have received training the past two years in emergency first aid and cardiopulmonary resuscitation, and if one or more students attending such school has been diagnosed with diabetes, at least one employee has been trained in the administration of insulin and glucagon. "Employee" includes any person employed by a local health department who is assigned to the public school pursuant to an agreement between the local health department and the school board. When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration of insulin or administer glucagon. Prescriber authorization and parental consent shall be obtained by any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagon.

**D. Safekeeping of Medication**

Except as provided in Section E below, all medication must be kept by the school nurse or the principal in a secure, locked place known by and accessible to any person who may have to administer lifesaving medication.

**E. Possession and Self-Administration of Inhaled Asthma and Anaphylaxis Medications**

1. Students diagnosed with asthma, anaphylaxis or both may possess and self-administer inhaled asthma medications and/or auto-injectable epinephrine during the school day, at school-sponsored activities or while on the school bus or other school property, provided that:
  - a. The parent, legal guardian or custodian, or other person having control or charge of the student gives written consent for self-medication; and
  - b. the student's primary care provider or medical specialist, or a licensed physician or licensed nurse practitioner must provide written notice that identifies the student, states that the student has been diagnosed with asthma and/or anaphylaxis, gives approval for the student to self-administer inhaled asthma medications and/or auto-injectable epinephrine that have been prescribed for the student, indicates the name and dosage of the medication and the frequency in which it is to be administered (including any circumstances which warrant its use, such as before exercising or engaging in physical activity), and attests to the student's demonstrated ability to self-administer inhaled asthma medications and/or auto-injectable epinephrine.
2. The school division shall develop an individualized health care plan, including emergency procedures for any life-threatening conditions, for each student who self-administers inhaled asthma and/or anaphylaxis medications.
3. The school division shall consult with the student's parent, legal guardian or custodian, or other person having control or charge of the student before imposing any restrictions

upon the student's self-administration of inhaled asthma and/or anaphylaxis medications, and before permission to possess and self-administer such medications is revoked.

4. Permission to possess and self-administer inhaled asthma and/or anaphylaxis medications shall be effective for one year (365 calendar days) and shall be renewed annually.
5. Self-administration of inhaled asthma and/or anaphylaxis medications shall be consistent with the purposes of the Virginia School Health Guidelines and the Guidelines for Specialized Health Care Procedure Manuals.
6. A school principal or other employee of the School Board who, in good faith, without compensation, and in the absence of gross negligence or willful misconduct, supervises the self-administration of inhaled asthma medications or auto-injectable epinephrine by a student pursuant to this policy, shall not be liable for any civil damages for acts or omissions resulting from the supervision of self-administration of inhaled asthma medications or auto-injectable epinephrine by such student. Further, no principal or school board employee shall be liable for any civil damages for injuries or deaths resulting from the misuse of auto-injectable epinephrine.

For the purposes of this section, "employee" shall include any person employed by a local health department who is assigned to a public school pursuant to an agreement between a local health department and the School Board.

F. First Aid

School personnel may administer first aid, but only in accordance with the standing orders of School Health Services.

G. Medication Recommendations by School Personnel

School personnel shall not recommend the use of psychotropic medications for any student. "Psychotropic medications" are those medications the prescribed intention of which is to alter mental activity or state, including, but not limited to, antipsychotic, antidepressant, and anxiolytic medication and behavior-altering medication. Nothing in this policy shall prohibit school health staff, classroom teachers or other school professionals from recommending that a student be evaluated by an appropriate medical practitioner, or prohibit school personnel from consulting with such practitioner, with the written consent of the student's parent.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §§ 22.1-274, 22.1-274.2 and 22.1-274.3.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.5 ANAPHYLAXIS POLICY (SCHOOL ADMINISTERED)**

The School Board of the City of Richmond adopts the following policy and procedures regarding the possession and use of auto-injectable epinephrine by school personnel.

It is the policy of Richmond Public Schools to provide at least two (2) doses of auto-injectable epinephrine (hereinafter called 'unassigned or stock epinephrine') in each school, to be administered by a school nurse or employee of the school board who is authorized and trained in the administration of

epinephrine to any student believed to be having an anaphylactic reaction on school premises, during the academic day. The *Code of Virginia* (§8.01-225) provides civil protection for employees of a school board who are appropriately trained to administer epinephrine.

### **Policy Limitations**

Parents of students with known life threatening allergies and/or anaphylaxis should provide the school with written instructions from the students' health care provider for handling anaphylaxis and all necessary medications for implementing the student specific order on an annual basis. This anaphylaxis policy is not intended to replace student specific orders or parent provided individual medications. This policy **does not** extend to activities off school grounds (including transportation to and from school, field trips, etc.) or outside of the academic day (sporting events, extra-curricular activities, etc.).

### **Overview**

Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can occur up to one to two hours after exposure to the allergen.

### **Symptoms of Anaphylaxis**

- Shortness of breath or tightness of chest; difficulty in or absence of breathing
- Sneezing, wheezing or coughing
- Difficulty swallowing
- Swelling of lips, eyes, face, tongue, throat or elsewhere
- Low blood pressure, dizziness and/or fainting
- Heart beat complaints: rapid or decreased
- Blueness around lips, inside lips, eyelids
- Sweating and anxiety
- Itching, with or without hives; raised red rash in any area of the body
- Skin flushing or color becomes pale
- Hoarseness
- Sense of impending disaster or approaching death
- Loss of bowel or bladder control
- Nausea, abdominal pain, vomiting and diarrhea
- Burning sensation, especially face or chest
- Loss of consciousness

Although anaphylactic reactions typically result in multiple symptoms, reactions may vary. A single symptom may indicate anaphylaxis. **Epinephrine should be administered promptly at the first sign of anaphylaxis. It is safer to administer epinephrine than to delay treatment for anaphylaxis.**

### **Training**

Building level administration shall be responsible for identifying at least two employees, in addition to the school nurse (RN or LPN), to be trained in the administration of epinephrine by auto-injector. Only trained personnel should administer epinephrine to a student believed to be having an anaphylactic reaction. Training shall be conducted in accordance with the most current edition of the Virginia Department of Education's Manual for Training Public School Employees in the Administration of Medication. Training shall be conducted annually or more often as needed.

### **Standing Orders**

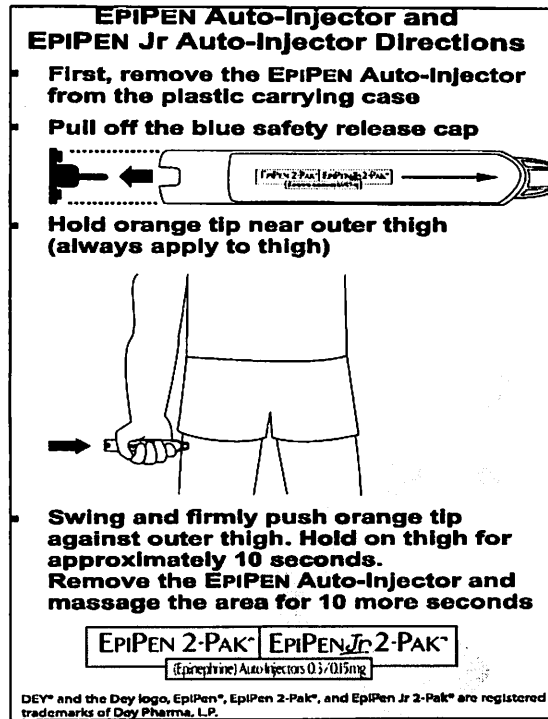
Standing orders are written to cover multiple people as opposed to individual-specific orders, which are written for one person. Richmond Public Schools shall designate an authorized medical provider (MD, DO, PA, or NP with prescriptive authority) to prescribe non-student specific epinephrine for the school division, to be administered to any student believed to be having an anaphylactic reaction on school grounds, during the academic day. Standing orders must be renewed annually and with any change in prescriber.

### **Responding to Anaphylaxis**

If student-specific orders are on file they should be followed for students with known life threatening allergies and/or anaphylaxis.

For suspected anaphylaxis without specific orders:

1. Based on symptoms, determine that an anaphylactic reaction is occurring.
2. Act quickly. It is safer to give epinephrine than to delay treatment. **This is a life and death decision.**
3. Determine the proper dose and administer epinephrine. Note the time.
4. Direct someone to call 911 and request medical assistance. Advise the 911 operator that anaphylaxis is suspected and that epinephrine has been given.
5. Stay with the person until emergency medical services (EMS) arrives.
6. Monitor their airway and breathing.
7. Reassure and calm person as needed.
8. Call School Nurse/Front Office school personnel and advise of situation.
9. Direct someone to call parent/guardian
10. If symptoms continue and EMS is not on the scene, administer a second dose of epinephrine 5 to 15 minutes after the initial injection. Note the time.
11. Administer CPR if needed.
12. EMS to transport individual to the emergency room. Document individual's name, date, and time the epinephrine was administered on the used epinephrine auto-injector and give to EMS to accompany individual to the emergency room.
13. Even if symptoms subside, 911 must still respond and individual must be evaluated by a physician. A delayed or secondary reaction may occur.
14. Document the incident and complete the incident report.
15. Replace epinephrine stock medication as appropriate.



*Courtesy of FAAN, 2012*

### Post Event Actions

- Once epinephrine is administered, local Emergency Medical Services (911) shall be activated and the student transported to the emergency room for follow care. In some reactions, the symptoms go away, only to return one to three hours later. This is called a “biphasic reaction.” Often these second-phase symptoms occur in the respiratory tract and may be more severe than the first-phase symptoms. Therefore, follow up care with a health care provider is necessary. The student will not be allowed to remain at school or return to school on the day epinephrine is administered.
- Document the event
- Complete incident report
- Replace epinephrine stock medication immediately

### Storage, Access and Maintenance

Epinephrine should be stored in a safe, unlocked and accessible location, in a dark place at room temperature (between 59-86 degrees F). Epinephrine should not be maintained in a locked cabinet or behind locked doors. Staff should be made aware of the storage location in each school. It should be protected from exposure to heat, cold or freezing temperatures. Exposure to sunlight will hasten deterioration of epinephrine more rapidly than exposure to room temperatures. The expiration date of epinephrine solutions should be periodically checked; the drug should be replaced if it is approaching the expiration date. The contents should periodically be inspected through the clear window of the auto-injector. The solution should be clear; if it is discolored or contains solid particles, replace the unit.

Each school should maintain documentation that stock epinephrine has been checked on a monthly basis to ensure proper storage, expiration date, and medication stability.

The school division shall maintain a sufficient number of extra doses of epinephrine for replacement of used or expired school stock on the day it is used or discarded. Expired auto-injectors or those with discolored solution or solid particles should not be used. Discard them in a sharps container.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-274.2.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.6            COMMUNICABLE DISEASES**

The School Board of the City of Richmond recognizes the importance of protecting its students and employees from the transmission of communicable diseases which present a threat to their health and safety, while also protecting the legitimate interests and rights of students with communicable diseases. In carrying out this responsibility, the Board directs the division superintendent to act in compliance with applicable law to exclude from school attendance any student who has a communicable disease. Both the decision to remove the student and the decision to readmit the student shall be made by the superintendent based upon consultation with the local health department, the student's physician, nurse practitioner, and/or other medical authorities.

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

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

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-271.3, 22.1-272, 32.1-36.1, 32.1-45.2, 54.1-2957.02.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.7            BLOOD BORNE CONTAGIOUS OR INFECTIOUS DISEASES**

The attendance at school of students who suffer from blood borne diseases which are infectious or contagious, such as AIDS and Hepatitis B, and which may be transmitted by the exchange of body secretions, shall be determined by the superintendent on a case-by-case basis. The division superintendent shall obtain the advice of the local department of health to assist him/her in making his/her determination. The student may be excluded from school and school-related functions pending the division superintendent's decision. The division superintendent shall issue regulations setting forth the procedures to be followed to effectuate this policy.

The identity of a student who has tested positive for human immunodeficiency virus shall be confidential in accordance with state law.

An alternative educational program shall be made available to any student whose removal pursuant to this policy is expected to result in a prolonged absence from school or where otherwise required by law.

Training in the use of universal precautions for handling blood shall be conducted periodically in accordance with state and federal law. Universal precautions for handling blood shall be implemented within the school setting and on buses in accordance with state and federal law and guidelines.

The School Board shall adopt guidelines for school attendance for children with human immunodeficiency virus. Such guidelines shall be consistent with the model guidelines for such school attendance developed by the Board of Education.

**LEGAL REFERENCE:** Code of Virginia, 1950, as amended, §§ 22.1-271.3, 22.1-272, 32.1-36.1, 32.1-45.2, 54.1-2957.02.

Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.8 CHILD ABUSE**

To meet its responsibilities under the child abuse law, the board directs the division superintendent to:

1. Establish a procedure for reporting any incident of suspected child abuse or neglect to the Richmond Department of Social Services within 24 hours of having reason to suspect a reportable offense as required by law. Employees who have reason to suspect that a child is an abused or neglected child shall report the matter immediately to the building principal or his/her designee. Principals or designees shall report such cases to the child abuse coordinator of the Department of Social Services within the timeframe noted above.
2. Provide orientation for all school personnel regarding the child abuse law and their responsibility to report any incidents of suspected abuse or neglect.
3. Familiarize all school personnel with the established procedure for reporting suspected cases of abuse and neglect.
4. Cause to be posted in each school a notice, pursuant to Section 63.2-1509 of the Code of Virginia, that: (i) any teacher or other person employed in a Richmond Public School who has reason to suspect that a child is an abused or neglected child, including any child who may be abandoned, is required to report suspected cases of child abuse or neglect to the Richmond Department of Social Services or to the principal or his designee; and (ii) all persons required to report cases of suspected child abuse or neglect are immune from civil or criminal liability or administrative penalty or sanction on account of such reports unless such person has acted in bad faith or with malicious purpose. The notice shall also include the Virginia Department of Social Services toll-free child abuse and neglect hotline.
5. Encourage inter-agency cooperation and provide guidelines for cooperating with Child Protective Services investigations.
  - a. Personnel required to make the report of suspect child abuse or neglect shall disclose all information which is the basis for his suspicion of abuse or neglect of the child, and upon request, shall make available to Child Protective Services investigators and the Richmond Department of Social Services any information, records or reports which document the

basis for the report. Reports of suspected child abuse and neglect shall also include, if available to the reported, the child's name, date of birth, address, social security number and the identity of the parent/caretaker.

- b. All personnel required to report suspected child abuse or neglect who maintain a record of a child who is the subject of such a report shall cooperate with the investigating agency and shall make related information, records and reports available to the investigating agency unless such disclosure violates the Family Educational Rights and Privacy Act (20 U.S.C. § 1232(g)). Provision of such information, records and reports by a health care provider shall not be prohibited by Section 8.01-399 of the Code of Virginia.
- c. School personnel shall refrain from any activity which might serve to interfere with Child Protective Services investigations.
- d. School personnel shall treat the reporting process and all subsequent activities relating to the same with the highest degree of confidentiality.
- e. Child Protective Services investigators shall have access to school facilities for the purpose of conducting confidential interviews.

**LEGAL REFERENCE:** United States Code, Title 20, Section 1232(g) et seq.; Code of Virginia, 1950 as amended, §§ 22.1-291.3 and 63.1-248.3.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-5.9 SUICIDE PREVENTION**

Any licensed administrative or instructional personnel employed by the school board who, in the scope of his or her employment, has reason to believe, as a result of direct communication from a student, that such student is imminent risk of suicide, shall, as soon as practicable, contact at least one of the student's parents to determine whether the parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for the student. If, however, the student indicates that the reason for being at imminent risk of suicide relates to parental abuse or neglect, contact shall instead be made with the local department of social services or the State Department of Social Services child abuse and neglect hotline, stressing the need to take immediate action to protect the student from harm.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-272.1.

Adopted \_\_\_\_\_, 2012

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#### **POLICY 8-5.10 PROTECTIVE EYE DEVICES**

In accordance with Section 22.1-275 of the Code of Virginia, industrial quality eye protective devices shall be purchased by the school division and worn by all teachers, pupils, and visitors in those areas where required by law and such other areas as may be deemed dangerous by the superintendent.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22.1-275.



Adopted \_\_\_\_\_, 2012

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**POLICY 8-5.11      INDIGENT STUDENTS**

Every effort shall be made to offer the best school service to indigent children. To this end the principals and teachers should, upon recommendation of the school nurse or attendance worker, avail themselves of such resources as exist for the welfare of needy pupils. Among the organizations that they may contact are parent-teacher associations, council of parent-teacher associations, family service society, department of public welfare, various civic clubs, and local churches.

**LEGAL REFERENCE:** Code of Virginia, 1950 as amended, §22-78.

Adopted \_\_\_\_\_, 2012

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DRAFT

APPENDIX \_\_\_\_\_

**STUDENT DISCRIMINATION/HARASSMENT COMPLAINT FORM**

Name of Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Parent/Guardian's Name: \_\_\_\_\_

Home Phone: \_\_\_\_\_

Date(s) of Alleged Incident(s): \_\_\_\_\_

Where did the incident(s) occur? \_\_\_\_\_

Name(s) of Person(s) you believe discriminated against or harassed you or another person: \_\_\_\_\_

If someone other than you was discriminated against or harassed, identify the other person(s):

Describe the incident as clearly as possible, including such things as what force, if any was used, any verbal statements

(i.e. threats, requests, demands, etc.), what if any physical contact was involved. Attach additional pages if necessary.

List any witnesses who were present: \_\_\_\_\_

This complaint is based on my honest belief that \_\_\_\_\_ has discriminated against or harassed me

or another person.

I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Received by:

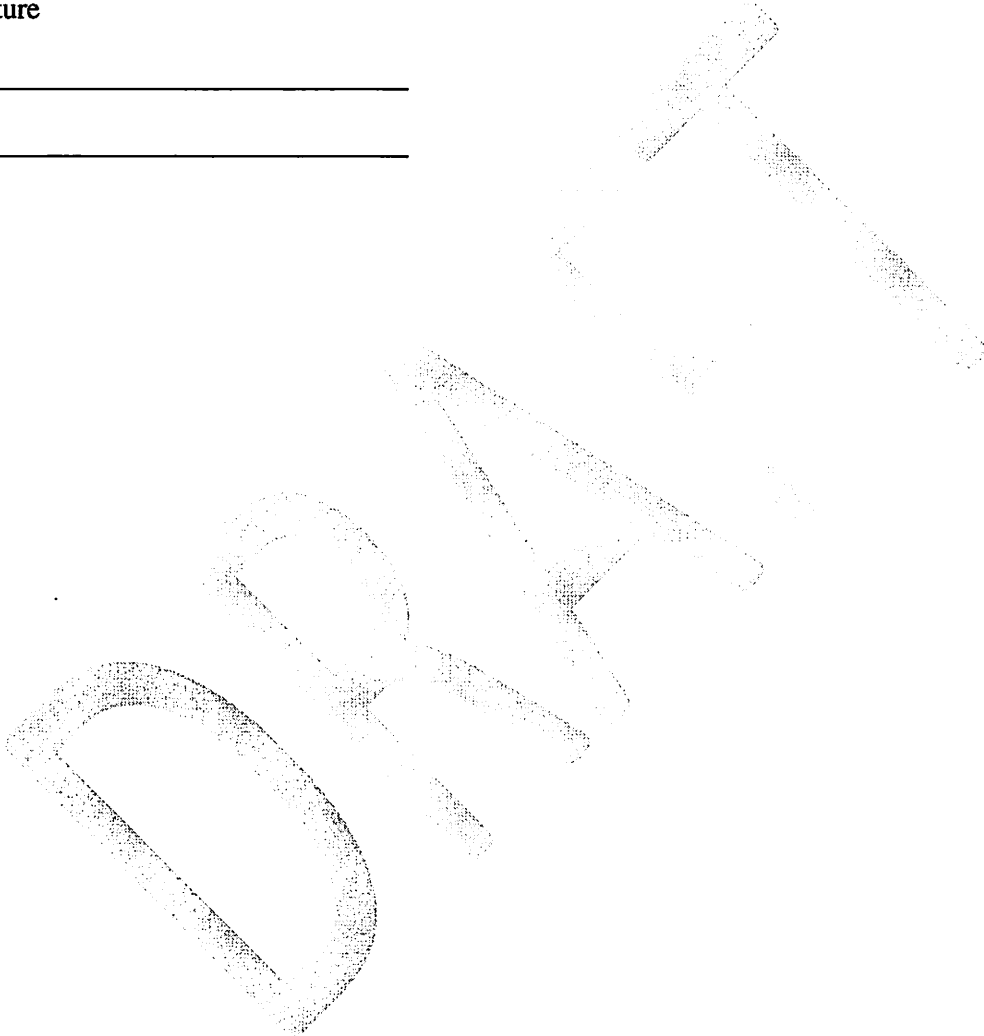
\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



We take seriously all reports of sexual harassment and will take all appropriate action to investigate such claims, to eliminate the harassment, and to discipline any persons found to have engaged in such conduct.

Richmond Public Schools will also take action if anyone tries to intimidate you or take action to harm you because you made a report.

This is a summary of Richmond Public Schools' policy against sexual harassment of students. A complete copy of the policy is available from your principal or from Richmond Public Schools' Administrative Offices, 301 North 9<sup>th</sup> Street, Richmond, Virginia 23219, upon request.

**SEXUAL HARASSMENT IS AGAINST THE LAW.**

Contact: Chief Academic Officer and/or Chief of Staff, Richmond Public Schools, 301 North 9<sup>th</sup> Street, Richmond, Virginia Telephone: (804) 780-7704

Virginia Council on Human Rights, 900 E. Main Street, Pocahontas Building, 4<sup>th</sup> Floor, P.O. Box 717, Richmond, Virginia 23206 Telephone: (804) 225-2292

United States Department of Education, Office of Civil Rights, Customer Service Team, Mary E. Switzer Building, 330 C Street, S.W., Washington, D.C. 20202 Telephone: (800) 421-3481

APPENDIX

DRAFT

***RICHMOND PUBLIC SCHOOLS***

***LOCAL WELLNESS POLICY***



**DRAFT**

***RICHMOND CITY SCHOOL BOARD***

***SUPERINTENDENT: DR. YVONNE W. BRANDON***

***REVISED 2012-2013 SCHOOL YEAR***

The development and adoption of this policy is mandated by the Child Nutrition and Women, Infants and Children (WIC) Reauthorization Act of 2004<sup>1</sup>. As required, this policy is established in accordance with United States Department of Agriculture (USDA) regulations<sup>2</sup> and guidance, and existing Virginia regulations<sup>3</sup> and guidance, as they apply to school nutrition programs. The guidelines are equally as restrictive as the state and federal school nutrition laws and will be modified in the event that new legislation is enacted.

Richmond Public Schools recognizes that childhood overweight and obesity rates have nearly tripled in the past thirty years and continue to rise. Poor eating habits and increased sedentary activities have contributed to this trend. There are numerous emotional and health consequences of being overweight. Since the greatest portion of a child's day is spent in the school environment, schools are in a strong position to impact children's nutritional and physical activity habits and reduce the proliferation of childhood obesity. Nutrition and physical activities are essential for students to achieve their full academic and physical potential.

The goals and purposes of this policy are to:

1. Provide a framework for schools to make positive changes that will increase and develop a framework for wellness.
2. Offer recommendations and provide guidelines, at the district level, that will strengthen school nutrition and physical activity programs in Richmond Public Schools.
3. Address the issues that underlie the soaring rates of overweight children and adolescents in our district.
4. Provide our students with healthier food and beverage options and increase opportunities for physical activities.

### Committee Members

Charlene Rodgers	Nurse Coordinator	Meiko Timmons	Community Partnership
William James	Instructional Specialist		Coordinator, RPS
Helen W. Ragazzi, M.D.	Parent/Pediatrician	Terrie Harris	Community In Schools
Joseph Boatwright, III M.D.	Pediatrician	William Kannaugh	PE Teacher, RPS
Lee Reaves, Exec. Dir.	Team Up-Rich.	Cordell Watkins	PE Teacher, RPS
Cathy M. Stith	Nurse Manager	Juanita Preston	PE Teacher, RPS
Trent Jones	Risk Management	Deborah Wright	Student Information
Natalie May, Ph.D.	Parent		Specialist, RPS
Alan Worrell	PE Teacher, RPS	Shelia Hines	Assistant Principal
Susan Roberson	Director, School Nutrition	Janel Pamplin,	Student,
Vernon Clements	PSTA – President		George Wythe High School
Melanie Reed	Nurse Practitioner, RPS	Shelia Hines	Assistant Principal

#### **Mission Statement:**

Richmond Public Schools believes healthy eating and physical activities, in a holistic school environment, are essential for students to achieve full academic, social, physical, psychological and emotional well being.

#### **Nutrition Statement:**

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1. *Public Law 108-265.*

2. *National School Lunch Program Regulations, 7 C.F.R. Part 210; See also, School Breakfast Program Regulations, 7 C.F.R. Part 220.*

3. *See, Virginia Regulations for the School Breakfast Program, 8 VAC 20-580-10 et. seq.*



Academic performance and quality of life are enhanced by the choice and availability of healthy foods and nutrition education in our school district.

DRAFT

## *Nutrition Guidelines*

### School Meals

Meals served through the National School Lunch and Breakfast Programs will adhere to:

### **New National School Lunch Program (NSLP) Regulations**

Comparison of Current and New Regulatory Requirements under Final Rule “Nutrition Standards in the National School Lunch and School Breakfast Programs” Jan. 2012

<b>National School Lunch Program Meal Pattern</b>		
<b>Food Group</b>	<b>Current Requirements K-12</b>	<b>New Requirements K-12</b>
Fruit and Vegetables	½ - ¾ cup of fruit and vegetables combined per day	¾ - 1 cup of vegetables <u>plus</u> ½ - 1 cup of fruit per day  Note: Students are allowed to select ½ cup fruit or vegetable under OVS.
Vegetables	No specifications as to type of vegetable subgroup	Weekly requirement for: <ul style="list-style-type: none"> <li>• dark green</li> <li>• red/orange</li> <li>• beans/peas (legumes)</li> <li>• starchy</li> <li>• other (as defined in 2010 Dietary Guidelines)</li> </ul>
Meat/Meat Alternate (M/MA)	1.5 – 2 oz eq. (daily minimum)	Daily minimum and weekly ranges:  Grades K-5: 1 oz eq. min. daily (8-10 oz weekly)  Grades 6-8 : 1 oz eq. min. daily (9-10 oz weekly)  Grades 9-12 : 1 oz eq. min. daily (10-12 oz weekly)
Grains	8 servings per week (minimum of 1 serving per day)	Daily minimum and weekly ranges:  Grades K-5: 1 oz eq. min. daily (8-9 oz weekly)  Grades 6-8 : 1 oz eq. min. daily (8-10 oz weekly)  Grades 9-12 : 2 oz eq. min. daily (10-12 oz weekly)
Whole Grains	Encouraged	At least half of the grains must be whole grain-rich beginning July 1, 2012. Beginning July 1, 2014, all grains must be whole grain rich.
Milk	1 cup  Variety of fat contents allowed; flavor not restricted	1 cup  Must be fat-free(unflavored/flavored) or 1% low fat (unflavored)

## USDA Implementation Timeline

Jan. 2012

### Implementation Timeline for Final Rule

*"Nutrition Standards in the National School Lunch and School Breakfast Programs"*

Implementation of most meal requirements in the NSLP begins SY 2012-2013. In the SBP, the meal requirements (other than milk) will be implemented gradually beginning SY 2013-2014.

New Requirements	Implementation (School Year) for NSLP (L) and SBP (B)						
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2022/23
<b>Fruits Component</b>							
• Offer fruit daily	L						
• Fruit quantity increase to 5 cups/week (minimum 1 cup/day)			B				
<b>Vegetables Component</b>							
• Offer vegetables subgroups weekly	L						
<b>Grains Component</b>							
• Half of grains must be whole grain-rich	L	B					
• All grains must be whole-grain rich			L, B				
• Offer weekly grains ranges	L	B					
<b>Meats/Meat Alternates Component</b>							
• Offer weekly meats/meat alternates ranges (daily min.)	L						
<b>Milk Component</b>							
• Offer only fat-free (unflavored or flavored) and low-fat (unflavored) milk	L, B						
<b>Dietary Specifications (to be met on average over a week)</b>							
• Calorie ranges	L	B					
• Saturated fat limit (no change)	L, B						
• Sodium Targets <ul style="list-style-type: none"> <li>○ Target 1</li> <li>○ Target 2</li> <li>○ Final target</li> </ul>			L, B			L, B	L, B
• Zero grams of <u>trans</u> fat per portion	L	B					
<b>Menu Planning</b>							
• A single FBMP approach	L	B					
<b>Age-Grade Groups</b>							
• Establish age/grade groups: K-5, 6-8, 9-12	L	B					
<b>Offer vs. Serve</b>							
• Reimbursable meals must contain a fruit or vegetable (1/2 cup minimum)	L		B				
<b>Monitoring</b>							
• 3-year adm. review cycle		L, B					
• Conduct weighted nutrient analysis on 1 week of menus	L	B					

## Nutrition Standards Chart

Final Rule Nutrition Standards in the National School Lunch and School Breakfast Programs – Jan. 2012

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 <sup>a</sup>	Grades 6-8 <sup>a</sup>	Grades 9-12 <sup>a</sup>	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food <sup>b</sup> Per Week (Minimum Per Day)					
Fruits (cups) <sup>c,d</sup>	5 (1) <sup>e</sup>	5 (1) <sup>e</sup>	5 (1) <sup>e</sup>	2½ (½)	2½ (½)	5 (1)
Vegetables (cups) <sup>c,d</sup>	0	0	0	3¾ (¾)	3¾ (¾)	5 (1)
Dark green <sup>f</sup>	0	0	0	½	½	½
Red/Orange <sup>f</sup>	0	0	0	¾	¾	1¼
Beans/Peas (Legumes) <sup>f</sup>	0	0	0	½	½	½
Starchy <sup>f</sup>	0	0	0	½	½	½
Other <sup>f,g</sup>	0	0	0	½	½	¾
Additional Veg to Reach Total <sup>h</sup>	0	0	0	1	1	1½
Grains (oz eq) <sup>i</sup>	7-10 (1) <sup>j</sup>	8-10 (1) <sup>j</sup>	9-10 (1) <sup>j</sup>	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0 <sup>k</sup>	0 <sup>k</sup>	0 <sup>k</sup>	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups) <sup>l</sup>	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
<b>Other Specifications: Daily Amount Based on the Average for a 5-Day Week</b>						
Min-max calories (kcal) <sup>m,n,o</sup>	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories) <sup>n,o</sup>	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg) <sup>n,p</sup>	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat <sup>n,o</sup>	Nutrition label or manufacturer specifications must indicate zero grams of trans fat per serving.					

<sup>a</sup>In the SBP, the above age-grade groups are required beginning July 1, 2013 (SY 2013-14). In SY 2012-2013 only, schools may continue to use the meal pattern for grades K-12 (see § 220.23).

<sup>b</sup> Food items included in each food group and subgroup and amount equivalents. Minimum creditable serving is ½ cup.

<sup>c</sup>One quarter-cup of dried fruit counts as ½ cup of fruit; 1 cup of leafy greens counts as ½ cup of vegetables. No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100% full-strength.

<sup>d</sup>For breakfast, vegetables may be substituted for fruits, but the first two cups per week of any such substitution must be from the dark green, red/orange, beans and peas (legumes) or “Other vegetables” subgroups as defined in §210.10(c)(2)(iii).

<sup>e</sup>The fruit quantity requirement for the SBP (5 cups/week and a minimum of 1 cup/day) is effective July 1, 2014 (SY 2014-2015).

<sup>f</sup>Larger amounts of these vegetables may be served.

<sup>g</sup>This category consists of “Other vegetables” as defined in §210.10(c)(2)(iii)(E). For the purposes of the NSLP, “Other vegetables” requirement may be met with any additional amounts from the dark green, red/orange, and beans/peas (legumes) vegetable subgroups as defined in §210.10(c)(2)(iii).

<sup>h</sup>Any vegetable subgroup may be offered to meet the total weekly vegetable requirement.

<sup>i</sup>At least half of the grains offered must be whole grain-rich in the NSLP beginning July 1, 2012 (SY 2012-2013), and in the SBP beginning July 1, 2013 (SY 2013-2014). All grains must be whole grain-rich in both the NSLP and the SBP beginning July 1, 2014 (SY 2014-15).

<sup>j</sup>In the SBP, the grain ranges must be offered beginning July 1, 2013 (SY 2013-2014).

<sup>k</sup>There is no separate meat/meat alternate component in the SBP. Beginning July 1, 2013 (SY 2013-2014), schools may substitute 1 oz. eq. of meat/meat alternate for 1 oz. eq. of grains after the minimum daily grains requirement is met.

<sup>l</sup>Fluid milk must be low-fat (1 percent milk fat or less, unflavored) or fat-free (unflavored or flavored).

<sup>m</sup>The average daily amount of calories for a 5-day school week must be within the range (at least the minimum and no more than the maximum values).

<sup>n</sup>Discretionary sources of calories (solid fats and added sugars) may be added to the meal pattern if within the specifications for calories, saturated fat, trans fat, and sodium. Foods of minimal nutritional value and fluid milk with fat content greater than 1 percent milk fat are not allowed.

<sup>o</sup>In the SBP, calories and trans fat specifications take effect beginning July 1, 2013 (SY 2013-2014).

<sup>p</sup>Final sodium specifications are to be reached by SY 2022-2023 or July 1, 2022. Intermediate sodium specifications are established for SY 2014-2015 and 2017-2018. See required intermediate specifications in § 210.10(f)(3) for lunches and § 220.8(f)(3) for breakfast

## *Nutrition Guidelines*

### **School Meals**

- be appealing and attractive to children;
- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations;
- offer a variety of fruits and vegetables,<sup>4</sup>
- serve only low-fat (1%) and fat-free milk<sup>5</sup> and nutritionally-equivalent nondairy alternatives -- as defined by the United States Department of Agriculture (USDA);
- ensure that at least half of the served grains are whole grain,<sup>6</sup> and
- ensure that a vegetarian option is offered daily

Schools should engage students and parents, through taste-tests of new entrees and surveys, in selecting foods sold through the school meal programs in order to identify new, healthful, and appealing food choices. In addition, schools should share information about the nutritional content of meals with parents and students. Such information could be made available on menus, a website, on cafeteria menu boards, placards, or other point-of-purchase materials.

### **Breakfast**

To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- Schools will, to the greatest extent possible, operate the School Breakfast Program.
- Schools will, to the greatest extent possible, utilize methods to serve nutritious school breakfasts that encourage participation.
- Schools will notify parents and students of the availability of the School Breakfast Program.
- Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.

### **Free and Reduced-priced Meals**

Schools will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals<sup>7</sup>. Toward this end, schools may utilize electronic identification and payment systems, promote the availability of school meals to all students.

4. To the extent possible, schools will offer at least two non-fried vegetable and two fruit options each day and will offer five different fruits and five different vegetables over the course of a week. Schools are encouraged to source fresh fruits and vegetables from local farmers when practicable.
5. *As recommended by the Dietary Guidelines for Americans 2005.*
6. *According to the USDA, a whole grain is one labeled as a "whole" grain product or with a whole grain listed as the primary grain ingredient in the ingredient statement. Examples include "whole" wheat flour, cracked wheat, brown rice, and oatmeal.*
7. *It is against the law to make others in the cafeteria aware of the eligibility status of children for free, reduced-price, or "paid" meals. (See, Free and Reduced Price Eligibility Regulations, 7 CFR 245.8)*

**Summer Food Service Program**

Participation in the Summer Food Service Program will be encouraged for schools in which more than 50% of students are eligible for free or reduced-price school meals. Participation will be encouraged for at least six weeks between the last day of the academic school year and the first day of the following school year, and preferably throughout the entire summer vacation.

**Qualifications of School Food Service Staff**

Qualified nutrition professionals will administer the school meal programs. As part of the school district's responsibility to operate a food service program, we will provide continuing professional development for all nutrition professionals in schools. Staff development programs should include appropriate certification and/or training programs for child nutrition directors, school nutrition managers, and cafeteria workers, according to their levels of responsibility.<sup>8</sup>

**Sharing of Foods and Beverages**

Schools should discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets. A notice of this policy will be shared with parents at the beginning of each semester.

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**Foods and Beverages Sold Individually (i.e., foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte [snack] lines, fundraisers, school stores, etc.)**

**Elementary Schools:** The school food service program will approve and provide all food and beverage sales to students in elementary schools.

**Middle and High Schools:** In middle and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines, or fundraising activities) during the school day, or through programs for students after the school day, will meet the following nutrition and portion size standards:

**Beverages:**

- **Allowed:** water without added caloric sweeteners; fruit and vegetable juices and fruit-based drinks that contain at least 100% fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free fluid milk and nutritionally-equivalent nondairy beverages (as defined by USDA);
- **Not allowed:** soft drinks containing caloric sweeteners; sports drinks; iced teas; fruit-based drinks that contain less than 100% real fruit juice or that contain additional caloric sweeteners; beverages containing caffeine excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine).

8. School nutrition staff development programs are available through the USDA, School Nutrition Association, and National Food Service Management Institute.

## **Foods:**

### **A food item sold individually:**

- will have no more than 35% of its calories from fat (excluding nuts, seeds, peanut butter, and other nut butters) and 10% of its calories from saturated and trans fat combined;
- will have no more than 35% of its weight from added sugars;<sup>9</sup>
- will contain no more than 230 mg of sodium per serving for chips, cereals, crackers, french fries, baked goods, and other snack items; will contain no more than 480 mg of sodium per serving for pastas, meats, and soups; and will contain no more than 600 mg of sodium for pizza, sandwiches, and main dishes.
- A choice of at least two fruits and/or non-fried vegetables will be offered for sale at any location on the school site where foods are sold. Such items could include, but are not limited to, fresh fruits and vegetables; 100% fruit or vegetable juice; fruit-based drinks that are at least 50% fruit juice and that do not contain additional caloric sweeteners; cooked, dried, or canned fruits (canned in fruit juice or light syrup); and cooked, dried, or canned vegetables (that meet the above fat and sodium guidelines).<sup>10</sup>

## **Portion Sizes:**

Limit portion sizes of foods and beverages sold individually to those listed below:

- One and one-quarter ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, or jerky;
- One ounce for cookies;
- Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other bakery items;
- Four fluid ounces for frozen desserts, including, but not limited to, low-fat or fat-free ice cream;
- Eight ounces for non-frozen yogurt;
- Twelve fluid ounces for beverages, excluding water; and
- The portion size of a la carte entrees and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruits and non-fried vegetables are exempt from portion-size limits.

## **Fundraising Activities:**

To support children's health and school nutrition-education efforts, school fundraising activities will not involve food, or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Schools will encourage fundraising activities that promote physical activity. The school district will make available a list of ideas for acceptable fundraising activities.

9. *If a food manufacturer fails to provide the added sugars content of a food item, use the percentage of weight from total sugars (in place of the percentage of weight from added sugars), and exempt fruits, vegetables, and dairy foods from this total sugars limit.*

10. *Schools that have vending machines are encouraged to include refrigerated snack vending machines, which can accommodate fruits, vegetables, yogurts, and other perishable items.*

**Snacks:**

Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's dietary health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The district will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.

- If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.

**Rewards:**

Schools will not use foods or beverages, (especially those that do not meet the nutrition standards for foods and beverages sold individually (above)), as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

**Celebrations:**

Schools should limit celebrations that involve food during the school day to no more than one party per class per month. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually (above). The district will disseminate a list of healthy party ideas to parents and teachers.

**School-sponsored Events:** (such as, but not limited to, athletic events, dances, or performances).

Foods and beverages offered or sold at school-sponsored events outside the school day will meet the nutrition standards for meals or for foods and beverages sold individually (above).



## *Nutrition Education Goals*

### **Richmond Public Schools will:**

- Provide helpful hints related to diet and health activities to students, parents and staff.
- Enhance the SOL health curriculum with cross-curriculum integration of nutrition education.
- Display information in the school building and cafeteria that relates to nutrition.
- Provide nutritional information about foods served in the cafeteria to students, parents and staff.
- Provide parent organizations and teachers with a list of ideas and vendors for fund-raisers that include the sale of nonfood items and healthy food alternatives such as fruits and vegetables.
- Establish a school-wide wellness education committee to support the RPS wellness policy.
- Coordinate with the community partners to assist with creating a healthy school environment.
- Provide an ongoing staff development related to wellness education.

## *Physical Activity and Educational Goals*

### **Richmond Public Schools will:**

- Provide a standard based Physical Education Curricula, which focuses on knowledge, skills and attitudes toward physical activity needed to maintain an active lifestyle.
- Provide safe facilities, space and equipment for physical activities during and after school hours.
- Enforce measures to prevent injuries and illness related to specific physical activities, environmental conditions and individual health related limitations.
- Provide time within the school day for minimum daily physical activity as follows:

#### Elementary Schools

1. Forty-five minutes per week with Physical Education (PE) instructor
2. Twenty-five minutes of structured recess with classroom teacher

#### Middle School

1. Provide semester long physical education exploratory courses for sixth, seventh, and eighth graders. (minimum of 180 minutes per week according to the (block schedule).
2. Provide one full school year of physical education for eighth grade students as directed by the master schedule (minimum of 180 minutes per week according to the block schedule).

#### High School

1. Provide two years of physical education (typically provided in ninth and tenth grades) for a minimum of 180 minutes per week according to the block schedule. (two graduation credits as directed by Standards of Accreditation)
- Provide adaptive/adapted physical education and/or curriculum modifications and accommodations for students with disabilities as stated in the student's Individualized Education Program (IEP) or 504 plan.
  - Discourage the denial of physical activity and/or recess as a form of discipline or for classroom make-up time.
  - Measure and monitor student's physical activity knowledge, motor skills and behavior related to physical activity.
  - Provide physical activity promotions for all employees.

### **Other School-Based Activities**

- School dining areas have sufficient space for students to sit and consume meals.
- School dining areas are clean, safe and pleasant environments.
- Enough serving areas are provided to ensure student access to school meals with a minimum of wait time.
- Meal times are scheduled near the middle of the day.
- Students are given adequate time to enjoy eating healthy meals.
- Only foods and beverages meeting established nutrient standards are sold in vending machines throughout the school campus.
- Fundraising efforts will be supportive of healthy eating.
- On-going professional training and development is provided for all school personnel.
- Support for the health of all students is demonstrated by supporting school health clinics, health screenings, and assisting enrollment of eligible children in Medicaid and other state children's health insurance programs.
- For the safety and security of the food and facility, access to the food service operations are limited to the food service staff and authorized personnel.

### **Implementation Plan**

The Wellness Committee realizes that the implementation of the Wellness Policy will be an incremental process. Staff, students, and parents must be notified of the upcoming plans. The Public Information Department will be instrumental in publicizing and promoting RPS' local policy. Tools such as videos and pamphlets will be developed to inform our constituents of the forthcoming guidelines, goals and objectives.

In June 2006, a video explaining the policy will be made available for all school based staff. Pamphlets will be sent home with all students prior to the last day of the 2006 school year. The information, including the expectations and desired outcomes of this policy, will be reiterated to principals at the Leadership Retreat in August 2006. Parents will receive additional information at Open House events and through public television outlets.

### **Monitoring Plan**

By early September, each school building will have established a Wellness Committee comprised of teachers, administrators and other school staff. The purpose of this Committee is to monitor its school's progress in meeting the established wellness goals. The attached evaluation tool will be used for this monitoring process (Richmond Public Schools Wellness Policy – Meeting the Challenge). The tool uses a scale from 0 (not happening; no change has been initiated) to 3 (already happening) to specify the progression of the desired outcomes.

Baseline data will be gathered in September of each school year. The information will be reassessed in January and again in May of each school year. Reports on each school's progress will be reported to the District's Wellness Policy Designee by January 30<sup>th</sup> and May 1<sup>st</sup>. Schools which have made little or no progress toward reaching the goals of this policy will be asked to submit a corrective action plan to the Wellness Designee addressing any areas where desired outcomes have not yet been achieved. The corrective action plans should be developed by the school's Wellness Committee and must be submitted no later than May 31<sup>st</sup>.

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