



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

Lynchburg City School Board

Sharon Y. Carter
School Board District 2

James E. Coleman
School Board District 3

Regina T. Dolan-Sewell
School Board District 1

Mary Ann Hoss
School Board District 1

Michael J. Nilles
School Board District 3

Derek L. Polley
School Board District 1

Jennifer R. Poore
School Board District 2

Katie Snyder
School Board District 3

J. Marie Waller
School Board District 2

School Administration

Scott S. Brabrand
Superintendent

John C. McClain
Assistant Superintendent of
Student Learning and Success

Ben W. Copeland
Assistant Superintendent of
Operations and Administration

Anthony E. Beckles, Sr.
Chief Financial Officer

Wendie L. Sullivan
Clerk

SCHOOL BOARD MEETING
April 19, 2016 5:30 p.m.
School Administration Building
Board Room

A. PUBLIC COMMENTS

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

B. SPECIAL PRESENTATIONS

- 1. Teacher of the Year: 2015-16
John C. McClain. Page 2
Discussion
- 2. Dr. Charles W. Pryor, Jr. and Family Excellence in Science
Scholarship
John C. McClain. Page 3
Discussion

C. STUDENT RECOGNITION

- 1. Student Recognition
Scott S. Brabrand. Page 4
Discussion

D. FINANCE REPORT

- 1. Finance Report
Anthony E. Beckles, Sr. Page 5
Discussion

E. CONSENT AGENDA

- 1. School Board Meeting Minutes: April 5, 2016 (Regular Meeting)
- 2. Personnel Report
Marie F. Gee. Page 12
Discussion/Action

3. Policy BBFA Conflict of Interest and Disclosure of Economic Interests
Ben W. Copeland. Page 14
Discussion/Action

F. STUDENT REPRESENTATIVE COMMENTS

G. UNFINISHED BUSINESS

1. Lynchburg City School Board Policies and Administrative Regulations: Section 7 – Admissions
Ben W. Copeland. Page 27
Discussion/Action
2. 2016-17 School Calendar: Proposed Changes
John C. McClain. Page 112
Discussion/Action

H. NEW BUSINESS

1. Policy KFB Surveys
Ben W. Copeland. Page 113
Discussion
2. Special Education Annual Plan/Part B, Section 611, Flow-through Application and Section 619 Preschool Grant Applications: 2016-17
John C. McClain. Page 118
Discussion
3. Request for Reallocation of Budget
Anthony E. Beckles. Page 135
Discussion
4. School Board Governance Norms and Protocols
Mary Ann Hoss. Page 138
Discussion/Action

I. SUPERINTENDENT’S COMMENTS

J. BOARD COMMENTS

K. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, May 3, 2016, 5:30 p.m., Board Room,
School Administration Building

L. ADJOURNMENT

Agenda Report

Date: 04/19/16

Agenda Number: A-1

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Public Comments

Summary/Description:

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

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 04/19/15

Agenda Number: B-1

Attachments:

From: Scott S. Brabrand, Superintendent
John C. McClain, Assistant Superintendent of Curriculum and Instruction

Subject: Teacher of the Year: 2015-16

Summary/Description:

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

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

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

The Lynchburg City Schools' Teacher of the Year for the 2015-16 school year will be introduced during this presentation.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 04/19/16

Agenda Number: B-2

Attachments: Yes

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

Subject: Dr. Charles W. Pryor, Jr., and Family Excellence in Science Scholarship

Summary/Description:

In fall 2013, Dr. Charles W. Pryor, Jr., and his family announced a \$25,000.00 scholarship to be awarded each school year for the next four years to an outstanding Lynchburg City Schools senior interested in entering a science-related field of study.

Dr. Pryor is a graduate of both E. C. Glass High School and Virginia Tech. He spent 25 years with the Babcock and Wilcox Company serving as President of the Nuclear and Power Division. Dr. Pryor has served as a member of the Lynchburg City School Board and as past chairman of the Lynchburg City Schools Partners in Education program. His commitment to education continues through this generous award.

The award is being given to the top senior student who desires to pursue a career in the field of engineering as determined by a selection process. The application process included a written application, a letter of interest, three letters of recommendation, an official transcript, and the top finalists completed an interview with a selection committee.

The competition for this award was very strong and the decision to select a winner was made very carefully by the selection committee.

During this presentation, the second Lynchburg City Schools Award for Excellence in Science will be awarded to the scholarship winner.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 04/19/16

Agenda Number: C-1

Attachments: No

From: Scott S. Brabrand, Superintendent

Subject: Student Recognition

Summary/Description:

Students who won the regional awards in the Young Writers Competition, formerly known as the Young Authors Contest, will be recognized tonight. These students not only won within their schools, they also won at the school division level. Further, these students placed either first, second, or third in the Regional Young Writers Competition, which includes students from Lynchburg City Schools and Appomattox, Bedford, Campbell, Nelson, and Pittsylvania County Schools.

Fourth grade student, Mary Glenn Morse, who attends Robert S. Payne Elementary School, won an award for Outstanding Writing for K-5 with her fictional selection entitled *Numbers Schools*. Mary Glenn will read her selection during this presentation.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Agenda Report

Date: 04/19/16

Agenda Number: D-1

Attachments:

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

Subject: Finance Report

Summary/Description:

The school administration, in accordance with the FY2015-16 school operating budget, authorized, approved, and processed the necessary payments through March 31, 2016. The school administration certifies that the amounts approved are within budgetary limits and revenue.

The operating fund expenditure report summarizes the payments made through March 31, 2016, for the operating fund.

Total Operating Fund Budget	\$ 90,820,024.00
Prior Year End Encumbrances	\$ 90,304.40
Insurance Proceeds	\$ 131,105.84
School Bus Funding	\$ 977,000.00
Fund Balance Return	\$ 2,316,449.00
Restricted Donations	\$ 675.00
Adjusted Budget	\$ 94,335,558.24

Through March 31, 2016

Actual Revenue Received	\$ 60,419,420.76
Actual Expenditures	\$ 63,181,735.51
Actual Encumbered	\$ 27,310,925.18

Percent of Budget Received	64.05%
Percent of Budget Used, excluding encumbrances	66.98%

As of 3/31/16 – 9 months 75.00%

The revenue and expenditure reports detail the transactions recorded through March 31, 2016. All reports appear as attachments to the agenda report.

Disposition: Action
 Information
 Action at Meeting on:

Recommendation:

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

Lynchburg City Schools
 Operating Fund - Statement of Expenditures
 For the Month Ending
 March 31, 2016

	Fiscal Year 2015-16				BUDGET AVAILABLE	BUDGET % USED
	BUDGET	TRANSACTIONS	BUDGET % USED	ENCUMBRANCES		
INSTRUCTION						
FUNCTION 1100 CLASSROOM INSTRUCTION						
Personnel	48,826,371.59	32,697,664.32	66.97%	15,649,951.57	478,755.70	
Other	4,247,123.17	2,483,697.90	58.48%	244,140.19	1,519,285.08	
FUNCTION 1200 INST SUPPORT-STUDENT						
Personnel	3,251,473.74	2,156,000.06	66.31%	917,482.26	177,991.42	
Other	181,410.00	59,716.02	32.92%	23,349.80	98,344.18	
FUNCTION 1300 INST SUPPORT-STAFF						
Personnel	3,703,920.98	2,746,432.75	74.15%	994,593.22	(37,104.99)	
Other	1,785,889.30	1,014,434.55	56.80%	174,527.81	596,926.94	
FUNCTION 1400 INST SUPPORT-SCHOOL ADMN						
Personnel	5,333,447.43	3,808,205.61	71.40%	1,417,856.94	107,384.88	
Other	154,341.20	83,449.17	54.07%	15,514.76	55,377.27	
TOTAL INSTRUCTION	67,483,977.41	45,049,600.38	66.76%	19,437,416.55	2,996,960.48	95.56%
ADMINISTRATION						
FUNCTION 2100 ADMINISTRATION						
Personnel	2,476,242.85	1,840,262.75	74.32%	493,794.41	142,185.69	
Other	1,661,560.97	927,852.31	55.84%	210,151.57	523,557.09	
FUNCTION 2200 ATTENDANCE & HEALTH SERV						
Personnel	1,507,957.85	998,403.37	66.21%	486,712.12	22,842.36	
Other	112,225.00	53,521.90	47.69%	23,829.73	34,873.37	
TOTAL ADMINISTRATION	5,757,986.67	3,820,040.33	66.34%	1,214,487.83	723,458.51	87.44%
PUPIL TRANSPORTATION						
FUNCTION 3100 MANAGEMENT & DIRECTION						
Personnel	339,286.50	246,850.58	72.76%	79,800.78	12,635.14	
Other	43,776.00	21,153.84	48.32%	1,267.22	21,354.94	
FUNCTION 3200 VEHICLE OPERATION SERVICE						
Personnel	2,479,454.66	1,769,302.37	71.36%	623,047.40	87,104.89	
Other	944,210.00	471,639.62	49.95%	341,368.08	131,202.30	
FUNCTION 3300 MONITORING SERVICE						
Personnel	420,630.43	279,414.82	66.43%	130,873.36	10,342.25	
Other	0.00	0.00	0.00%	0.00	0.00	
FUNCTION 3400 VEHICLE MAINT SERVICE						
Personnel	351,419.67	280,772.39	79.90%	85,580.58	(14,933.30)	
Other	388,813.62	319,789.36	82.25%	90,737.24	(21,712.98)	
FUNCTION 3500 BUS PURCHASE - REGULAR						
Other	1,077,000.00	939,729.00	0.00%	0.00	137,271.00	
TOTAL PUPIL TRANSPORTATION	6,044,590.88	4,328,651.98	71.61%	1,352,674.66	363,264.24	93.99%
OPERATIONS & MAINTENANCE						
FUNCTION 4100 MANAGEMENT & DIRECTION						
Personnel	274,470.20	210,815.60	76.81%	69,249.24	(5,594.64)	
Other	84,000.00	75,117.73	89.43%	17,887.43	(9,005.16)	

Lynchburg City Schools
 Operating Fund - Statement of Expenditures
 For the Month Ending
 March 31, 2016

FUNCTION 4200 BUILDING SERVICES							
	Personnel	4,326,902.39	3,269,184.45	75.55%	977,312.70	80,405.24	
	Other	5,944,243.54	3,714,508.36	62.49%	1,701,696.14	528,039.04	
FUNCTION 4300 GROUNDS SERVICES							
	Personnel	242,869.76	183,499.05	75.55%	61,341.42	(1,970.71)	
	Other	35,000.00	11,130.89	31.80%	9,575.00	14,294.11	
FUNCTION 4400 EQUIPMENT SERVICES							
	Personnel	0.00	0.00	0.00%	0.00	0.00	
	Other	105,859.00	86,397.73	81.62%	9,359.38	10,101.89	
FUNCTION 4500 VEHICLE SERVICES							
	Personnel	0.00	0.00	0.00%	0.00	0.00	
	Other	107,500.00	30,028.78	27.93%	54,681.43	22,789.79	
FUNCTION 4600 SECURITY SERVICES							
	Personnel	30,257.65	11,308.38	37.37%	4,206.64	14,742.63	
	Other	334,002.00	116,254.05	34.81%	68,688.45	149,059.50	
FUNCTION 4700 WAREHOUSING SERVICES							
	Personnel	8,651.93	7,890.72	91.20%	0.00	761.21	
TOTAL OPERATIONS & MAINTENANCE		11,493,756.47	7,716,135.74	67.13%	2,973,997.83	803,622.90	93.01%
Other Non-Instructional Operations							
FUNCTION 5000 Non-Instructional Operations - Other		28,614.73	6,351.38	22.20%	9,888.00	12,375.35	
TOTAL Non-Instructional Operations		28,614.73	6,351.38	22.20%	9,888.00	12,375.35	56.75%
FACILITIES							
FUNCTION 6200 SITE IMPROVEMENTS		0.00	0.00	0.00%	0.00	0.00	
FUNCTION 6600 BLDG ADD & IMP SERVICES							
	Personnel	22,178.34	11,246.83	50.71%	0.00	10,931.51	
	Other	20,000.00	0.00	0.00%	0.00	20,000.00	
TOTAL FACILITIES		42,178.34	11,246.83	26.66%	0.00	30,931.51	26.66%
DEBT SERVICE							
FUNCTION 7100 DEBT SERVICE - Other		0.00	0.00	0.00%	0.00	0.00	
TOTAL DEBT SERVICE		0.00	0.00	0.00%	0.00	0.00	0.00%
TECHNOLOGY							
FUNCTION 8100 CLASSROOM INSTRUCTION							
	Personnel	1,647,290.20	1,237,631.39	75.13%	453,278.30	(43,619.49)	
	Other	762,505.49	152,954.80	20.06%	1,736,081.60	(1,126,530.91)	
FUNCTION 8200 INSTRUCTIONAL SUPPORT							
	Personnel	403,084.79	317,307.56	78.72%	106,050.96	(20,273.73)	
	Other	671,573.26	541,818.12	80.68%	27,049.45	102,705.69	
TOTAL TECHNOLOGY		3,484,453.74	2,249,711.87	64.56%	2,322,460.31	(1,087,718.44)	131.22%
CONTINGENCY RESERVES							
FUNCTION 9100 CLASSROOM INSTRUCTION		0.00	0.00	0.00%	0.00	0.00	
FUNCTION 9300 ADMINISTRATION		0.00	0.00	0.00%	0.00	0.00	
FUNCTION 9500 PUPIL TRANSPORTATION		0.00	0.00	0.00%	0.00	0.00	
FUNCTION 9600 OPERATIONS & MAINTENANCE		0.00	0.00	0.00%	0.00	0.00	
TOTAL CONTINGENCY RESERVES		0.00	0.00	0.00%	0.00	0.00	0.00%
TOTAL OPERATING BUDGET		94,335,558.24	63,181,738.51	66.98%	27,310,925.18	3,842,894.55	95.93%

Lynchburg City Schools
 Operating Fund - Statement of Revenue
 For the Month Ending
 March 31, 2016

ACCOUNT TITLE	FY 2014-15				FY 2015-16			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
240308 SALES TAX RECEIPTS	(9,950,157.00)	(9,958,345.20)	8,188.20	100.08%	(10,248,262.00)	(6,908,906.34)	(3,339,355.66)	67.42%
240202 BASIC SCHOOL AID	(21,651,824.00)	(22,184,149.37)	532,325.37	102.46%	(22,130,823.00)	(16,342,157.82)	(5,788,665.18)	73.84%
240207 GIFTED & TALENTED	(240,997.00)	(245,765.00)	4,768.00	101.98%	(246,845.00)	(163,553.63)	(83,291.37)	66.26%
240208 REMEDIAL EDUCATION	(1,292,157.00)	(1,317,718.00)	25,561.00	101.98%	(1,323,508.00)	(980,472.38)	(343,035.62)	74.08%
240208 REMEDIAL EDUCATION COMPENSATION SUPPLEMENT	(123,629.00) 0.00	(107,296.63) 0.00	(16,332.37) 0.00	86.79% 0.00%	(105,619.00) (399,315.00)	(78,390.00) (279,520.50)	(27,229.00) (119,794.50)	74.22% 70.00%
240212 SPECIAL ED SOQ	(2,794,545.00)	(2,849,828.00)	55,283.00	101.98%	(2,862,348.00)	(2,120,466.00)	(741,882.00)	74.08%
240217 VOCATIONAL ED SOQ	(225,615.00)	(230,078.00)	4,463.00	101.98%	(231,089.00)	(171,193.58)	(59,895.42)	74.08%
240221 SOC SEC-INSTR	(1,404,964.00)	(1,432,757.00)	27,793.00	101.98%	(1,439,052.00)	(1,066,069.00)	(372,983.00)	74.08%
240223 VRS INSTRUCTIONAL	(2,861,204.00)	(2,917,805.00)	56,601.00	101.98%	(2,846,592.00)	(2,108,794.00)	(737,798.00)	74.08%
240241 GROUP LIFE INST	(87,169.00)	(88,894.00)	1,725.00	101.98%	(89,284.00)	(66,143.03)	(23,140.97)	74.08%
240228 READING INTERVENTN	(168,326.00)	(186,361.00)	18,035.00	110.71%	(188,365.00)	(81,976.81)	(106,388.19)	43.52%
240205 CAT-REG FOSTER	(71,041.00)	(134,715.00)	63,674.00	189.63%	(132,031.00)	0.00	(132,031.00)	0.00%
240246 CAT-HOMEBOUND	(208,242.00)	(100,051.45)	(108,190.55)	48.05%	(102,053.00)	(67,829.96)	(34,223.04)	66.47%
240248 REGIONAL TUITION	(766,658.00)	(747,424.58)	(19,233.42)	97.49%	(739,236.00)	(157,877.30)	(581,358.70)	21.36%
240265 AT RISK SOQ	(1,439,822.00)	(1,468,098.00)	28,276.00	101.96%	(1,474,228.00)	(656,534.10)	(817,693.90)	44.53%
240309 ESL	(117,708.00)	(129,125.00)	11,417.00	109.70%	(148,706.00)	(63,135.00)	(85,571.00)	42.46%
240281 AT RISK 4 YR OLDS	(1,059,219.00)	(1,057,968.00)	(1,251.00)	99.88%	(1,221,024.00)	(496,407.29)	(724,616.71)	40.65%
240218 CTE - ADULT ED	(19,175.00)	0.00	(19,175.00)	0.00%	0.00	0.00	0.00	0.00%
240252 CTE EQUIPMENT	0.00	(13,266.87)	13,266.87	100.00%	0.00	(12,988.08)	12,988.08	0.00%
240253 CTE OCC PREP	(42,990.00)	(39,387.00)	(3,603.00)	91.62%	(48,230.00)	0.00	(48,230.00)	0.00%
MATH/READING INSTR SPECIALISTS	(40,267.00)	(40,267.00)	0.00	100.00%	(40,624.00)	(5,803.43)	(34,820.57)	14.29%
EARLY READING SPECIALISTS INIT	0.00	0.00	0.00	0.00%	(38,807.00)	0.00	(38,807.00)	0.00%
240275 PRIMARY CLASS SIZE	(1,707,979.00)	(1,693,633.00)	(14,346.00)	99.16%	(1,705,555.00)	(742,897.72)	(962,657.28)	43.56%
240214 TEXTBOOKS	(493,378.00)	(503,138.00)	9,760.00	101.98%	(505,349.00)	(374,369.48)	(130,979.52)	74.08%
240405 ALGEBRA READINESS	(139,687.00)	(137,583.00)	(2,104.00)	98.49%	(137,583.00)	(61,626.81)	(75,956.19)	44.79%
COMMONWEALTH OF VA	(46,906,753.00)	(47,583,654.10)	676,901.10	101.44%	(48,404,528.00)	(33,007,112.26)	(15,397,415.74)	68.19%
330212 IMPACT AIDPL81-874	(6,000.00)	(9,173.38)	3,173.38	152.89%	(6,000.00)	(8,796.16)	2,796.16	146.60%
180303 MEDICAID REIMBURSE	(300,000.00)	(408,055.25)	108,055.25	136.02%	(300,000.00)	(123,986.83)	(176,013.17)	41.33%
JR ROTC	(120,000.00)	(103,231.92)	(16,768.08)	86.03%	(120,000.00)	(68,444.46)	(51,555.54)	57.04%
FEDERAL	(426,000.00)	(520,460.55)	94,460.55	122.17%	(426,000.00)	(201,227.45)	(224,772.55)	47.24%

Lynchburg City Schools
 Operating Fund - Statement of Revenue
 For the Month Ending
 March 31, 2016

	FY 2014-2015				FY 2015-16			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
510500 CITY OPER APPR	(38,924,147.00)	(36,369,627.00)	(2,554,520.00)	93.44%	(40,114,276.00)	(22,950,000.00)	(17,164,276.00)	57.21%
510500 FUND BALANCE RETURN	(907,000.00)	(907,000.00)	0.00	100.00%	(2,316,449.00)	(2,316,449.00)	0.00	100.00%
510500 USE OF CIP FUNDS	(75,000.00)	(75,000.00)	0.00	0.00%	(977,000.00)	(977,000.00)	0.00	100.00%
CITY	(39,906,147.00)	(37,351,627.00)	(2,554,520.00)	93.60%	(43,407,725.00)	(26,243,449.00)	(17,164,276.00)	60.46%
189912 MISC REV/OTH FUNDS	(238.75)	(84,056.20)	83,817.45	100.00%	(100,000.00)	(38,004.33)	(61,995.67)	38.00%
180303 REBATES & REFUNDS	(30,000.00)	(17,828.31)	(12,171.69)	59.43%	(30,000.00)	(6,675.00)	(23,325.00)	22.25%
189903 DONATIONS & SP GF	(7,075.00)	(7,075.00)	0.00	100.00%	(675.00)	(675.00)	0.00	100.00%
189909 SALE OTHER EQUIP	(3,500.00)	(30,295.02)	26,795.02	865.57%	(3,000.00)	(15,340.39)	12,340.39	511.35%
189910 INSURANCE ADJUST	(127,289.54)	(283,673.59)	156,384.05	222.86%	(134,105.84)	(135,413.99)	1,308.15	100.98%
E RATE REIMBURSEMENT	(120,000.00)	(149,288.83)	29,288.83	124.41%	(115,500.00)	(66,479.94)	(49,020.06)	57.56%
TRANSFER IN/OUT	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
MISCELLANEOUS	(288,103.29)	(572,216.95)	284,113.66	198.62%	(383,280.84)	(262,588.65)	(120,692.19)	68.51%
150201 RENTS	(118,000.00)	(123,000.00)	5,000.00	104.24%	(123,000.00)	(123,000.00)	0.00	100.00%
161201 TUITION DAY SCHOOL	(110,000.00)	(100,557.17)	(9,442.83)	91.42%	(110,000.00)	(69,747.86)	(40,252.14)	63.41%
161206 TUITION ADULT	(18,000.00)	(41,332.40)	23,332.40	229.62%	(11,000.00)	(12,470.00)	1,470.00	113.36%
161207 TUITION SUMMER SCH	(25,000.00)	(150.00)	(24,850.00)	0.60%	(25,000.00)	0.00	(25,000.00)	0.00%
161202 SPEC PUPIL FEES	(40,000.00)	(31,816.32)	(8,183.68)	79.54%	(40,000.00)	(9,784.68)	(30,215.32)	24.46%
161205 BUS RENTAL	(400,000.00)	(322,611.46)	(77,388.54)	80.65%	(325,000.00)	(301,824.88)	(23,175.12)	92.87%
190101 TUIT FM OTH CO/CY	(634,620.00)	(375,315.21)	(259,304.79)	59.14%	(634,620.00)	0.00	(634,620.00)	0.00%
161201 DUAL ENROLLMENT	(85,000.00)	(128,214.00)	43,214.00	150.84%	(125,000.00)	(570.00)	(124,430.00)	0.46%
PRINT SHOP	(100,000.00)	(65,283.29)	(34,716.71)	65.28%	(75,000.00)	(77,999.39)	2,999.39	104.00%
SCHOOL NUT UTILITIES	(98,500.00)	(89,229.52)	(9,270.48)	90.59%	(95,000.00)	(55,282.34)	(39,717.66)	58.19%
FACILITY RENTALS	(75,000.00)	(46,487.50)	(28,512.50)	61.98%	(60,000.00)	(54,364.25)	(5,635.75)	90.61%
CHARGES FOR SERVICES	(1,704,120.00)	(1,323,996.87)	(380,123.13)	77.69%	(1,623,620.00)	(705,043.40)	(918,576.60)	43.42%
150101 INTEREST-BNK DPST USE OF MONEY	(100.00)	0.00	(100.00)	100.00%	(100.00)	0.00	(100.00)	100.00%
LEASE PURCHASE PROCEEDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
DESIGNATION - ENCUMBRANCES	(500,478.90)	0.00	(500,478.90)	0.00%	(90,304.40)	0.00	(90,304.40)	0.00%
TOTAL OPERATING FUND	(89,731,702.19)	(87,351,955.47)	(1,879,267.82)	97.35%	(94,335,558.24)	(60,419,420.76)	(33,825,833.08)	64.05%

Original budget	\$ 88,114,120.00
Fund Balance Return/Textbooks/CIP	\$ 982,000.00
Restricted Donation Received	\$ 7,075.00
Insurance proceeds allocated	\$ 124,289.54
Restricted Sale of Assets (CTE)	\$ 3,500.00
Miscellaneous Revenue	\$ 238.75
Designation - Prior Year Encumb	\$ 500,478.90
Adjusted Budget	\$ 89,731,702.19

Original budget	\$ 90,820,024.00
Prior Year Encumbrance	\$ 90,304.40
Restricted Donation Received	\$ 675.00
School Bus Proceeds from CIP	\$ 977,000.00
Fund Balance Return	\$ 2,316,449.00
Insurance Proceeds	\$ 131,105.84
Adjusted Budget	\$ 94,335,558.24

FY2015-2016 REVISED REVENUE BUDGET
As of February 29, 2016

ACCOUNT TITLE	ORIGINAL			CHANGE BETWEEN ORG & REVISED REV BUDGET		
	REVENUE BUDGET As of 7/1/2015	STATE REVENUE BUDGET As of 7/1/2015	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REV BUDGET INCREASE (DECREASE)
COMMONWEALTH OF VA REVENUE						
240308 SALES TAX RECEIPTS	(10,248,262.00)	(10,248,262.00)	(6,908,906.34)	(3,339,355.66)	67.42%	0.00
240202 BASIC SCHOOL AID	(22,130,823.00)	(22,130,823.00)	(16,342,157.82)	(5,788,665.18)	73.84%	0.00
240207 GIFTED & TALENTED	(246,845.00)	(246,845.00)	(163,553.63)	(83,291.37)	66.26%	0.00
240208 REMEDIAL EDUCATION	(1,323,508.00)	(1,323,508.00)	(980,472.38)	(343,035.62)	74.08%	0.00
240208 REMEDIAL EDUCATION	(105,619.00)	(105,619.00)	(78,390.00)	(27,229.00)	74.22%	0.00
COMPENSATION SUPPLEMENT	(399,315.00)	(399,315.00)	(279,520.50)	(119,794.50)	70.00%	0.00
240212 SPECIAL ED SOQ	(2,862,348.00)	(2,862,348.00)	(2,120,466.00)	(741,882.00)	74.08%	0.00
240217 VOCATIONAL ED SOQ	(231,089.00)	(231,089.00)	(171,193.58)	(59,895.42)	74.08%	0.00
240221 SOC SEC-INSTR	(1,439,052.00)	(1,439,052.00)	(1,066,069.00)	(372,983.00)	74.08%	0.00
240223 VRS INSTRUCTIONAL	(2,846,592.00)	(2,846,592.00)	(2,108,794.00)	(737,798.00)	74.08%	0.00
240241 GROUP LIFE INST	(89,284.00)	(89,284.00)	(66,143.03)	(23,140.97)	74.08%	0.00
240228 READING INTERVENTN	(188,365.00)	(188,365.00)	(81,976.81)	(106,388.19)	43.52%	0.00
240205 CAT-REG FOSTER	(132,031.00)	(132,031.00)	0.00	(132,031.00)	0.00%	0.00
240246 CAT-HOMEBOUND	(102,053.00)	(102,053.00)	(67,829.96)	(34,223.04)	66.47%	0.00
240248 REGIONAL TUITION	(739,236.00)	(739,236.00)	(157,877.30)	(581,358.70)	21.36%	0.00
240265 AT RISK SOQ	(1,474,228.00)	(1,474,228.00)	(656,534.10)	(817,693.90)	44.53%	0.00
240309 ESL	(148,706.00)	(148,706.00)	(63,135.00)	(85,571.00)	44.53%	0.00
240281 AT RISK 4 YR OLDS - VPI	(1,221,024.00)	(1,221,024.00)	(496,407.29)	(724,616.71)	40.65%	0.00
240218 CTE - ADULT ED	0.00	0.00	0.00	0.00	0.00%	0.00
240252 CTE EQUIPMENT	0.00	0.00	(12,988.08)	12,988.08	0.00%	0.00
240253 CTE EDUCATION	(48,230.00)	(48,230.00)	0.00	(48,230.00)	0.00%	0.00
MATH/READING INSTR SPECIALISTS	(40,624.00)	(40,624.00)	(5,803.43)	(34,820.57)	14.29%	0.00
EARLY READING SPECIALISTS INITI ^A	(38,807.00)	(38,807.00)	0.00	(38,807.00)	0.00%	0.00
240275 PRIMARY CLASS SIZE	(1,705,555.00)	(1,705,555.00)	(742,897.72)	(962,657.28)	43.56%	0.00
240214 TEXTBOOKS	(505,349.00)	(505,349.00)	(374,369.48)	(130,979.52)	74.08%	0.00
240405 ALGEBRA READINESS	(137,583.00)	(137,583.00)	(61,626.81)	(75,956.19)	44.79%	0.00
COMMONWEALTH OF VA	(48,404,528.00)	(48,404,528.00)	(33,007,112.26)	(15,397,415.74)	68.19%	0.00
FEDERAL REVENUE						
330212 IMPACT AIDPL81-874	(6,000.00)	(6,000.00)	(8,796.16)	2,796.16	146.60%	0.00
180303 MEDICAID REIMBURSE	(300,000.00)	(300,000.00)	(123,986.83)	(176,013.17)	41.33%	0.00
JR ROTC	(120,000.00)	(120,000.00)	(68,444.46)	(51,555.54)	57.04%	0.00
FEDERAL	(426,000.00)	(426,000.00)	(201,227.45)	(224,772.55)	47.24%	0.00
CITY APPROPRIATIONS						
510500 CITY OPER APPR	(40,114,276.00)	(40,114,276.00)	(22,950,000.00)	(17,164,276.00)	57.21%	0.00
510500 FUND BALANCE RETURN	(2,316,449.00)	(2,316,449.00)	(2,316,449.00)	0.00	100.00%	0.00
510500 USE OF RESERVES	(977,000.00)	(977,000.00)	(977,000.00)	0.00	0.00%	0.00
CITY	(43,407,725.00)	(43,407,725.00)	(26,243,449.00)	(17,164,276.00)	60.46%	0.00
MISCELLANEOUS REVENUE						
189912 MISC REV/OTH FUNDS	(100,000.00)	(100,000.00)	(38,004.33)	(61,995.67)	100.00%	0.00
180303 REBATES & REFUNDS	(30,000.00)	(30,000.00)	(6,675.00)	(23,325.00)	22.25%	0.00
189903 DONATIONS & SP GF	(675.00)	(675.00)	(675.00)	0.00	0.00%	0.00
189909 SALE OTHER EQUIP	(3,000.00)	(3,000.00)	(15,340.39)	12,340.39	0.00%	0.00
189910 INSURANCE ADJUST	(134,105.84)	(134,105.84)	(135,413.99)	1,308.15	100.98%	0.00
E RATE REIMBURSEMENT	(115,500.00)	(115,500.00)	(66,479.94)	(49,020.06)	57.56%	0.00
TRANSFER IN/OUT	0.00	0.00	0.00	0.00	0.00%	0.00
MISCELLANEOUS	(383,280.84)	(383,280.84)	(262,588.65)	(120,692.19)	68.51%	0.00

CHARGES FOR SERVICES						
150201 RENTS	(123,000.00)	(123,000.00)	(123,000.00)	0.00	100.00%	0.00
161201 TUITION DAY SCHOOL	(110,000.00)	(110,000.00)	(69,747.86)	(40,252.14)	63.41%	0.00
161206 TUITION ADULT	(11,000.00)	(11,000.00)	(12,470.00)	1,470.00	113.36%	0.00
161207 TUITION SUMMER SCH	(25,000.00)	(25,000.00)	0.00	(25,000.00)	0.00%	0.00
161202 SPEC PUPIL FEES	(40,000.00)	(40,000.00)	(9,784.68)	(30,215.32)	24.46%	0.00
161205 BUS RENTAL	(325,000.00)	(325,000.00)	(301,824.88)	(23,175.12)	92.87%	0.00
190101 TUIT FM OTH CO/CY	(634,620.00)	(634,620.00)	0.00	(634,620.00)	0.00%	0.00
161201 DUAL ENROLLMENT	(125,000.00)	(125,000.00)	(570.00)	(124,430.00)	0.46%	0.00
PRINT SHOP	(75,000.00)	(75,000.00)	(77,999.39)	2,999.39	104.00%	0.00
SCHOOL NUT UTILITIES	(95,000.00)	(95,000.00)	(55,282.34)	(39,717.66)	58.19%	0.00
FACILITY RENTALS	(60,000.00)	(60,000.00)	(54,364.25)	(5,635.75)	90.61%	0.00
CHARGES FOR SERVICES	(1,623,620.00)	(1,623,620.00)	(705,043.40)	(918,576.60)	43.42%	0.00
150101 INTEREST-BNK DPST	(100.00)	(100.00)	0.00	(100.00)	100.00%	0.00
USE OF MONEY						
LEASE PURCHASE PROCEEDS	0.00	0.00	0.00	0.00	0.00%	0.00
DESIGNATION - ENCUMBRANCES	(90,304.40)	(90,304.40)	0.00	(90,304.40)	0.00%	0.00
TOTAL OPERATING FUND	(94,335,558.24)	(94,335,558.24)	(60,419,420.76)	(33,825,833.08)	64.05%	0.00

REVENUE OVER/(UNDER)
ORIGINAL BUDGET

Note

Bold accounts are affected by changes in ADM

Agenda Report

Date: 04/19/16

Agenda Number: E-2

Attachments: Yes

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

Subject: Personnel Report

Summary/Description:

The personnel recommendations for April 5 – 19, 2016 appear as an attachment to this agenda report.

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

Recommendation:

The superintendent recommends that the school board approve the personnel recommendations for April 5 – 19, 2016.

NAME	COLLEGE	DEGREE/ EXPERIENCE	SCHOOL/ ASSIGNMENT	EFFECTIVE DATE
RESIGNATIONS:				
Darius Karissa	Liberty University	BA / 1 yr (Lv. 0 / 3)	Heritage High Math	6-10-16
Gardner Sarah	Liberty University	MED / 11yrs (Lv. 10 / 3)	EC Glass English	6-10-16
Stallings JD	Wake Forest University	BA / 12yrs (Lv. 11 / 4)	EC Glass Theatre	6-10-16
Testerman Sarah	Phoenix University of	MED / 13 yrs Lv. 12 / 3)	Dearington Third Grade	6-10-16
Townsend Alex	Liberty University	BA / 5 yrs (Lv. 4 / 3)	Heritage High Foreign Language	6-10-16
RETIREMENTS:				
Hartsough Sandra	St. Leo College	BA / 11 yrs (Lv. 10 / 3)	Linkhorne Middle Math	6-10-16
Sawyer Kathleen	VCU	MED / 30 yrs (Lv. 15 / 3)	Exceptional Learning Coor for ELL & Gifted	6-30-16

Agenda Report

Date: 04/19/16

Agenda Number: E-3

Attachments: Yes

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

Subject: Policy BBFA Conflict of Interests and Disclosure of Economic Interests

Summary/Description:

The Virginia School Boards Association (VSBA) recently released an update to policy BBFA Conflict of Interests and Disclosure of Economic Interests which has been reviewed by legal counsel and reflects the latest changes in state and federal laws and regulations. This policy revision appears as an attachment to the agenda report.

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

Recommendation:

The superintendent recommends that the school board approve Policy BBFA Conflict of Interest and Disclosure of Economic Interests.

CONFLICT OF INTERESTS AND DISCLOSURE OF ECONOMIC INTERESTS

A. Purpose

The Lynchburg City School Board seeks, through the adoption of this policy, to assure that the judgment of its members, officers and employees will be guided by a policy that defines and prohibits inappropriate conflicts and requires disclosure of economic interests, as defined by the General Assembly in the State and Local Government Conflict of Interests Act *{(the Act)}*.

B. Areas of Regulation

The ~~State and Local Government Conflict of Interests~~ Act establishes five principal areas of regulation applicable to board members, officers, and employees of the Lynchburg City School Division. They are:

- Special anti-nepotism rules relating to School Board members and superintendents of schools.
- General rules governing public conduct by School Board members regarding acceptance of gifts and favors.
- Prohibited conduct regarding contracts.
- Required conduct regarding transactions.
- Disclosures required from School Board members.

C. Definitions

"Advisory agency" means any board, commission, committee or post which does not exercise any sovereign power or duty, but is appointed by a governmental agency or officer or is created by law for the purpose of making studies or recommendations, or advising or consulting with a governmental agency.

"Affiliated business entity relationship" means a relationship, other than a parent-subsidiary relationship, that exists when

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

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

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

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

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

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

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

"Gift" means any gratuity, favor, discount, entertainment, hospitality, loan forbearance, or other item having monetary value. It includes services as well as gifts of transportation, local travel, lodgings, and meals, whether provided in-kind, by purchase of a ticket, payment in advance or reimbursement after the expense has been incurred. "Gift" does not include any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used; honorary degrees; any athletic, merit, or need-based scholarship or any other financial aid awarded by a public or private school, institution of higher education, or other educational program pursuant to such school, institution or program's financial aid standards and procedures applicable to the general public; a campaign contribution properly received and reported pursuant to Va. Code § 24.2-945 et seq.; any gift related to the private profession or occupation of the School Board member or employee or of a member of the School Board member's or employee's immediate family; food or beverages consumed while attending an event at which the School Board member or employee is performing official duties related to his public service; food and beverages received at or registration or attendance fees waived for any event at which the School Board member or employee is a featured speaker, presenter or lecturer; unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento or similar item that is given in recognition of public, civic, charitable or professional service; a devise or inheritance; travel disclosed pursuant to the Campaign Finance Disclosure Act (Va. Code § 24.2-945 et seq.); travel paid for or provided by the government of the United States, any of its territories or any state or any political subdivision of such state; travel related to an official meeting of the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment; or gifts from relatives or personal friends. For the purpose of this definition, "relative" means the donee's spouse, child, uncle, aunt, niece, nephew or first cousin; a person to whom the donee is engaged to be married; the donee's or donee's spouse's parent, grandparent, grandchild, brother, or sister, step-parent, step-grandparent, step-grandchild, step-brother or step-sister or the donee's brother's or sister's spouse. For the purpose of this definition, "personal friend" does not include any person that the School Board member or employee knows or has reason to know is (a) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (b) a lobbyist's

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

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

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

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

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

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

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

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

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

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

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

"Transaction" means any matter considered by any governmental or advisory agency, whether in a committee, subcommittee, or other entity of that agency or before the agency itself, on which official action is taken or contemplated.

D. Special Anti-Nepotism Rules Relating to School Board Members and Superintendents

1. The School Board may not employ or pay, and the Superintendent may not recommend for employment, the father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law, of the Superintendent or of a School Board member. This provision shall not be construed to prohibit the employment, promotion, or transfer within the school division, of any person within a relationship described above when such person
 - has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the taking of office of any member of the Board or Superintendent; or
 - has been employed pursuant to a written contract with the School Board or employed as a substitute teacher or teacher's aide by the School Board prior to the inception of such relationship; or
 - was employed by the School Board at any time prior to June 10, 1994, and had been employed at any time as a teacher or other employee of any Virginia school

board prior to the taking of office of any member of the School Board or Superintendent.

A person employed as a substitute teacher may not be employed to any greater extent than he was employed by the School Board in the last full school year prior to the taking of office of such board member or Superintendent or to the inception of such relationship.

2. The School Board may employ or pay, and the Superintendent may recommend for employment, any family member of the Superintendent or of a School Board member provided that
 - a) the member certifies that he had no involvement with the hiring decision; and
 - b) the Superintendent certifies to the remaining members of the school board in writing that the recommendation is based upon merit and fitness and the competitive rating of the qualifications of the individual and that no member of the board had any involvement with the hiring decision.
3. No family member (as listed in section D.1., above) of any employee may be employed by the School Board if the family member is to be employed in a direct supervisory and/or administrative relationship either supervisory or subordinate to the employee. The employment and assignment of family members in the same organizational unit is discouraged.

E. General Rules Governing Public Conduct by School Board Members and Employees Regarding Gifts and Favors

1. Prohibited Conduct

Neither the School Board collectively, nor any member of the board, shall solicit or

- accept money, or anything else of value, for services performed within the scope of his or her official duties other than his or her regular compensation, expenses or other remuneration;
- offer or accept money, or anything else of value, for or in consideration of obtaining employment, appointment, or promotion in the school division;
- offer or accept any money or anything else of value for or in consideration of the use of his public position to obtain a contract for any person or business with the school division. use for his or her own economic benefit, or anyone else's, confidential
- information gained by reason of his or her office, and which is not available to the public; accept any money, loan, gift, favor or service that might reasonably tend to
- influence the discharge of duties; accept any business or professional opportunity from which a School Board member may gain a financial benefit, where the member
- knows or should know that there is a reasonable likelihood that the opportunity is being offered with intent to influence his or her conduct in the performance of official duties.

2. Prohibited Gifts

For purposes of this subsection:

“Person, organization or business” includes individuals who are officers, directors or owners of or who have a controlling ownership interest in such organization or business.

“Widely attended event” means an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who share a common interest, (ii) who are members of a public, civic, charitable or professional organization, (iii) who are from a particular industry or profession or (iv) who represent persons interested in a particular issue.

School Board members and employees required to file a Statement of Economic Interests as prescribed in VA. Code § 2.2-3117 and members of their immediate families shall not solicit, accept or receive any single gift with a value in excess of \$100 or any combination of gifts with an aggregate value in excess of \$100 within any calendar year for the School Board member or employee or a member of the School Board or employee’s immediate family from any person that the School Board member or employee or a member of the School Board’s or employee’s immediate family knows or has reason to know is (i) a lobbyist registered pursuant to Va. Code § 2.2-418 et seq.; (ii) a lobbyist’s principal as defined in Va. Code § 2.2-419; or (iii) a person, organization, or business who is or is seeking to become a party to a contract with the School Board. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.

Notwithstanding the above, School Board members and employees required to file a Statement of Economic Interests and members of their immediate families may accept or receive

- a gift of food and beverages, entertainment or the cost of admission with a value in excess of \$100 when such gift is accepted or received while in attendance at a widely attended event and is associated with the event. Such gifts shall be reported on the Statement of Economic Interests;
- a gift from a foreign dignitary with a value exceeding \$100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged. Such gift shall be accepted on behalf of the Commonwealth or a locality and archived in accordance with guidelines established by the Library of Virginia. Such gift shall be disclosed as having been accepted on behalf of the Commonwealth or a locality, but the value of such gift shall not be required to be disclosed;
- certain gifts with a value in excess of \$100 from a lobbyist, lobbyist’s principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board if such gift was provided to such School Board member or employee or a member of the immediate family of the School Board member or employee on the basis of a personal friendship. A lobbyist, lobbyist’s principal or a person, organization or business who is or is seeking to become a party to a contract with the School board may be a personal friend of such School Board member or employee or the immediate family of the School Board member or employee. In determining whether a lobbyist, lobbyist’s principal

or a person, organization or business who is or is seeking to become a party to a contract with the School Board is a personal friend, the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the history of the relationship between the person and the donor, including the nature and length of the friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form prescribed in Va. Code §§ 2.2-3117 or 30-111; and

- gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or provided by a lobbyist, lobbyist's principal or a person, organization or business who is or is seeking to become a party to a contract with the School Board when the School Board member or employee has submitted a request for approval of such travel to the Council and has received the approval of the Council pursuant to Va. Code § 30-356.1. Such gifts shall be reported on the Statement of Economic Interests.

The \$100 limitation imposed in accordance with this section shall be adjusted by the Council every five years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

No person shall be in violation of this policy if (i) the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the value of the gift provided that such consideration reduces the value of the gift to \$100 or less.

3. Awards to Employees for Exceptional Service

Nothing herein shall be construed to prohibit or apply to the acceptance by a teacher or other employee of Lynchburg City School Board of an award or payment in honor of meritorious or exceptional services performed by the teacher or employee and made by an organization exempt from federal income taxation pursuant to the provisions of Section 501(c)(3) of the Internal Revenue Code.

F. Prohibited Conduct Regarding Contracts

1. No School Board member shall have a personal interest in (i) any contract with the School Board or (ii) any contract with any government agency which is subject to the ultimate control of the Board;
2. Exceptions - The above prohibition shall not be applicable to:

- A Board member's personal interest in a contract of employment provided the employment first began prior to the member becoming a member of the School Board
- Contracts for the sale by a governmental agency of services or goods at uniform prices available to the general public
- A contract awarded to a member of the School Board as a result of competitive sealed bidding where the School Board has established a need for the same or substantially similar goods through purchases prior to the election or appointment of the member to serve on the School Board; however, the member shall have no involvement in the preparation of the specifications for such contract, and the remaining members of the School Board, by written resolution, shall state that it is in the public interest for the member to bid on such contract
- The sale, lease or exchange of real property between an officer or employee and a governmental agency, provided the officer or employee does not participate in any way as such officer or employee in such sale, lease or exchange, and this fact is set forth as a matter of public record by the governing body of the governmental agency or by the administrative head thereof
- The publication of official notices
- An officer or employee whose sole personal interest in a contract with the governmental agency is by reason of income from the contracting firm or governmental agency in excess of \$10,000 per year, provided the officer or employee or a member of his immediate family does not participate and has no authority to participate in the procurement or letting of such contract on behalf of the contracting firm and the officer or employee either does not have authority to participate in the procurement or letting of the contract on behalf of his governmental agency or he disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating the contract or in approving the contract
- Contracts between an officer's or employee's governmental agency and a public service corporation, financial institution, or company furnishing public utilities in which the officer or employee has a personal interest provided the officer or employee disqualifies himself as a matter of public record and does not participate on behalf of his governmental agency in negotiating or approving the contract
- Contracts for the purchase of goods or services when the contract does not exceed \$500
- Grants or other payment under any program wherein uniform rates for, or the amounts paid to, all qualified applicants are established solely by the administering governmental agency
- An officer or employee whose sole personal interest in a contract with his own governmental agency is by reason of his marriage to his spouse who is employed by the same agency, if the spouse was employed by such agency for five or more years prior to marrying such officer or employee
- Employment contracts and other contracts entered into prior to August 1, 1987, provided such contracts were in compliance with the Virginia Conflict of Interests Act (or the Comprehensive Conflict of Interests Act) at the time of their formation and thereafter. Those contracts shall continue to be governed by the provisions of the appropriate prior Act. The employment by the same governmental agency of an officer or employee and spouse or any other relative residing in the same household shall not

be deemed to create a material financial interest except when one of the persons is employed in a direct supervisory and/or administrative position with respect to the spouse or other relative residing in his household and the annual salary of the subordinate is \$35,000 or more.

G. Prohibited Conduct Regarding Transactions

1. Each School Board member and School Board employee who has a personal interest in a transaction
 - a. shall disqualify himself from participating in the transaction if
 - (i) the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidiary or affiliated business entity relationship with the business in which he has a personal interest, or
 - (ii) he is unable to participate pursuant to subdivision G.1.b, G.1.c., or G.1.d. of this policy.

Any disqualification under this subsection shall be recorded in the School Board's public records. The School Board member or employee shall disclose his personal interests as required by Va. Code § 2.2-3115E and shall not vote or in any manner act on behalf of the School Board in the transaction. The member or employee shall not

- (i) attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the matter in which he has a personal interest is discussed; or
 - (ii) discuss the matter in which he has a personal interest with other governmental officers or employees at any time.
- b. may participate in the transaction if he is a member of a business, profession, occupation, or group of three or more persons, the members of which are affected by the transaction, and he complies with the declaration requirements of Va. Code § 2.2-3115 G;
 - c. may participate in the transaction when a party to the transaction is a client of his firm if he does not personally represent or provide services to such client and he complies with the declaration requirements of Va. Code § 2.2-3115 H; or
 - d. may participate in the transaction if it affects the public generally, even though his personal interest, as a member of the public, may also be affected by that transaction.
2. Disqualification under this section shall not prevent any employee having a personal interest in a transaction in which his employer is involved from representing himself or a member of his immediate family in such transaction provided he does not receive compensation for such representation and provided he complies with the disqualification and relevant disclosure requirements of this policy.

3. If disqualifications under subsection 1.a. of this section leave less than the number required by law to act, the remaining member or members of the board shall constitute a quorum for the conduct of business and have authority to act for the board by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members.
4. The provisions of this section shall not prevent a board member or employee from participating in a transaction merely because such a board member or employee is a defendant in a civil legal proceeding concerning such transaction.

H. Disclosure Requirements for School Board Members

1. School Board members file, as a condition of assuming office, a disclosure statement of their personal interests and other information as is specified on the Statement of Economic Interests form set forth in Va. Code § 2.2-3117 and thereafter file such statement semiannually by December 15 for the preceding six-month period complete through the last day of October and by June 15 for the preceding six-month period complete through the last day of April. The disclosure forms are filed and maintained as public records for five years in the office of the clerk of the School Board.
2. School Board members and employees required to file the Statement of Economic Interests who fail to file such form within the time period prescribed shall be assessed a civil penalty of \$250. The clerk of the School Board shall notify the attorney for the Commonwealth for the locality of any School Board member's or employee's failure to file the required form and the attorney for the Commonwealth shall assess and collect the civil penalty. The clerk shall notify the attorney for the Commonwealth within 30 days of the deadline for filing.
3. Any board member or employee who is disqualified from participating in a transaction under Section G.1.a. of this policy, or otherwise elects to disqualify himself, shall forthwith make disclosure of the existence of his interest, including the full name and address of the business and the address or parcel number for the real estate if the interest involves a business or real estate and such disclosure shall be reflected in the school board's public records in the division Superintendent's office for a period of five (5) years.
4. Any board member or employee who is required to disclose his interest under Section G.1.b. of this policy shall declare his interest by stating:
 - the transaction involved;
 - the nature of the board member's or employee's personal interest affected by the transaction;
 - that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction; and
 - that he is able to participate in the transaction fairly, objectively, and in the public interest.

The board member or employee shall either make his declaration orally to be recorded in written minutes of the board or file a signed written declaration with the clerk of the board, who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day. The board member or employee shall also orally disclose the existence of the interest during each School Board meeting at which the transaction is discussed and such disclosure shall be recorded in the minutes of the meeting.

5. A board member or employee who is required to declare his interest pursuant to subdivision G.1.c. of this policy shall declare his interest by stating
 - (i) the transaction involved;
 - (ii) that a party to the transaction is a client of his firm;
 - (iii) that he does not personally represent or provide services to the client; and
 - (iv) that he is able to participate in the transaction fairly, objectively, and in the public interest.

The board member or employee shall either make his declaration orally to be recorded in written minutes of the board or file a signed written declaration with the clerk of the board who shall, in either case, retain and make available for public inspection such declaration for a period of five years from the date of recording or receipt. If reasonable time is not available to comply with the provisions of this subsection prior to participation in the transaction, the board member or employee shall prepare and file the required declaration by the end of the next business day.

{I. Advisory Opinions

School Board members or employees subject to the Act may seek written opinions regarding the Act from the local Commonwealth's attorney; the local city attorney; or the Council. Good faith reliance on any such written opinion bars prosecution for a knowing violation of the Act provided the opinion was made after a full disclosure of the facts.}

Adopted: June 4, 2013

Revised: December 16, 2014

Revised: May 22, 2015

Revised: August 18, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3101, 2.2-3102, 2.2-3103, 2.2-3103.2, 2.2-3104.1, 2.2-3108, 2.2-3109, 2.2-3110, 2.2-3112, 2.2-3115, 2.2-3119 and 2.2-3124.

Cross Ref.: CBCA Disclosure Statement Required of Superintendent
 GCCB Employment of Family Members

Agenda Report

Date: 04/19/16

Agenda Number: G-1

Attachments: Yes

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

Subject: Lynchburg City School Board Policies and Administrative Regulations: Section 7
– Admissions

Summary/Description:

The process of converting the Lynchburg City Schools' (LCS) policies to the Virginia School Board Association (VSBA) format is ongoing process which has involved the conversion of entire sections of the LCS policy manual at a time. Periodically, recommended revisions to a LCS policy arise that warrant a conversion to the VSBA equivalent policy. Rather than delay the conversion of these policies until an entire section is converted, individual policies will be brought to the Board for conversion.

Policies related to admission requirements will be presented to the school board for discussion this evening.

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

Recommendation:

The superintendent recommends that the school board receive approve the school board policies and administrative regulations in Section 7 regarding admission requirements.

A TRADITION OF EXCELLENCE FOR ALL



LYNCHBURG CITY SCHOOLS

Lynchburg City School Board

to

Virginia School Board Association

Policy Conversion

Section 7 (Admissions)

Lynchburg City Schools
Lynchburg, Virginia

Policy Manual - Section 7 (Admissions)

This manual contains a portion of Section 7 – Students of the Lynchburg City School Board Policies and Regulations Manual and the correlating Virginia School Board Association (VSBA) policy. These are policies that deal with Admissions. Adopting the VSBA format allows the Lynchburg City School Board to keep up with the latest changes in Virginia legislation as it relates to education. Several VSBA policies have been “personalized” or created to reflect the policy and practice of the Lynchburg City Schools.

For ease of understanding and navigation while reviewing the manual we have adopted the following layout and formatting:

- The current Lynchburg City School Board policy appears on the left side
- The correlating VSBA policy will appear on the right, where possible, for ease of comparison
- Italicized sentences or words indicate wording added to the VSBA policy
- Strikethrough sentences or words indicate wording that will be removed from the VSBA policy

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Table of Contents

<u>LCS Identifier</u>	<u>Page #</u>	<u>VSBA Equivalent</u>	<u>Page #</u>	<u>LCS Title</u>
P 7-10	1	JEC	4	Admission Requirements
R 7-10	9	JEC	4	Admission Requirements
		JHCA	28	Physical Examinations of Students
		JHCB	30	Student Immunizations
P 7-10.1	33	JECA	48	Admission Requirements—Homeless Students
P 7-14	53	JEC-R	58	Nonresidents
R 7-14	63	JECY-R	64	Tuition Regulations
P 7-14.1	65	JECZ	70	Nonresidents—Employee Student Tuition Waiver
R 7-14.1	71	JECZ-R	76	Nonresidents—Employee Student Tuition Waiver

STUDENTS

Admission Requirements P 7-10A. Eligibility for Attendance

The following persons are eligible to attend the public schools:

1. Age

Persons who reach their fifth birthday on or before September 30 of the school year and persons who have not reached their twentieth birthday on or before August first of the school year.

2. Residents

A person of school age is deemed to reside in the school division

- when the person is living with a natural parent, or a parent by legal adoption, in the Lynchburg City School Division;
- when, in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- when the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- when the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
 - (i) the court-appointed guardian, or has legal custody of the person,
 - (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200; or
 - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
 - (a) explaining why the parents are unable to care for the person,
 - (b) detailing the kinship care arrangement, and
 - (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services

STUDENTS

Admission Requirements (continued)

that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.

- when the person is living in the school division not solely for school purposes, as an emancipated minor; or
- when the person has been placed in a foster care placement within the school division by a local social services agency.

The sending and receiving school divisions will cooperate in facilitating the enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.

No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with Va. Code § 22.1-5 and pursuant to Lynchburg City School Board Regulation R 7-10 Admission Requirements.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division 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 the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

3. Temporary Shelter

For the purposes of this policy, "temporary shelter" means (i) any home, single or multi-unit dwelling or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.

STUDENTS

Admission Requirements (continued)4. Nonresidents

Nonresident students as stated in School Board Policy 7-14 of this manual.

5. Other Persons

Other persons whom the board may approve under unusual conditions, e.g., dual enrollment provision in special education and Chapter 1 regulations.

B. Enrollment Requirements

The superintendent shall have responsibility for developing and implementing regulations to ensure that students entering the public schools meet the same requirements of state law and regulations of the State Board of Education and other agencies as apply to the admission of students to the public schools.

C. Part-Time Students

Students enrolled in a private or parochial school will not be admitted to this school division on a part-time basis except as required by law.

Legal Reference:

Code of Va., § 22.1-1, 22.1-3, 22.1-5, 22.1-270, 22.1-271.1, 22.1-271.2, 32.1-46, 22.1-288.1, 22.1-3.2, and 22.1-277.2.

Adopted by School Board: June 19, 1973
Revised by School Board: November 20, 1973
Revised by School Board: August 16, 1977
Revised by School Board: January 6, 1981
Revised by School Board: September 3, 1985
Revised by School Board: September 2, 1997
Revised by School Board: May 19, 2015

SCHOOL ADMISSION

A person of school age (i.e., a person who will have reached his or her fifth birthday on or before September 30 of the school year and who has not reached 20 years of age on or before August 1st of the school year) is eligible for admission on a non-tuition basis if residing in the Lynchburg City School Division, or if eligible for admission under Policy JECA.

A person of school age is deemed to reside in the school division

- when the person is living with a natural parent, or a parent by legal adoption, in the Lynchburg City School Division;
- when, in accordance with the provisions of Va. Code § 22.1-360, the person is living with a noncustodial parent or other person standing in loco parentis, not solely for school purposes, pursuant to a Special Power of Attorney executed under 10 United States Code § 1044b by the custodial parent;
- when the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
- when the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either
 - (i) the court-appointed guardian, or has legal custody of the person,
 - (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under Va. Code § 63.2-1200; or
 - (iii) an adult relative providing temporary kinship care as that term is defined in Va. Code § 63.2-100. Both parents and the relative providing kinship care must submit signed, notarized affidavits
 - (a) explaining why the parents are unable to care for the person,
 - (b) detailing the kinship care arrangement, and
 - (c) agreeing that the kinship care provider or a parent will notify the school within 30 days of when the kinship care arrangement ends.

The parent must also provide a power of attorney authorizing the adult relative to make educational decisions regarding the person. A parent or the kinship care provider must also obtain written verification from the department of social services where the parent or parents live, and the department of social services where the kinship provider lives, that the kinship arrangement serves a legitimate purpose that is in the best interest of the person other than school enrollment. If the kinship care arrangement lasts more than one year, the school division must receive continued verification directly from both departments of social services that the parents are unable to care for the person and that the kinship care arrangement serves a legitimate purpose other than school enrollment.

- when the person is living in the school division not solely for school purposes, as an emancipated minor; or
- when the person has been placed in a foster care placement within the school division by a local social services agency.

The sending and receiving school divisions will cooperate in facilitating the

enrollment of any child placed in foster care across jurisdictional lines to enhance continuity of instruction. The child will be allowed to continue to attend the school in which he was enrolled prior to the most recent foster care placement, upon the joint determination of the placing social services agency and the school division that such attendance is in the best interest of the child.

No person of school age who is the subject of a foster care placement will be charged tuition regardless of whether the child is attending the school in which he was enrolled prior to the most recent foster care placement or is attending a school in the receiving school division.

Certain other students may be admitted into the public schools of the division and may be charged tuition in accordance with Va. Code § 22.1-5 and pursuant to Lynchburg City School Board Regulation JEC-R School Admission.

No child of a person on active military duty attending a school free of charge in accordance with this policy shall be charged tuition by the school division 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 the school division and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.

{PART-TIME STUDENTS

Students enrolled in a private or parochial school or homeschooled will not be admitted to this school division on a part-time basis except as required by law.}

ADDITIONAL ADMISSION REQUIREMENTS

- A. Except as otherwise provided below, no pupil shall be admitted for the first time to any public school in any school division in Virginia unless the person enrolling the pupil presents, upon admission, a certified copy of the pupil's birth record. The principal or his designee shall record the official state birth number from the pupil's birth record into the pupil's permanent school record and may retain a copy in the pupil's permanent school record. If a certified copy of the pupil's birth record cannot be obtained, the person so enrolling the pupil shall submit an affidavit setting forth the pupil's age and explaining the inability to present a certified copy of the birth record. If the school division cannot ascertain a child's age because of the lack of a birth certificate, the child shall nonetheless be admitted into the public schools if the division Superintendent determines that the person submitting the affidavit presents information sufficient to estimate with reasonable certainty the age of such child.
- B. If a certified copy of the birth record is not provided, the administration shall immediately notify the local law enforcement agency. The notice to the local law-enforcement agency shall include copies of the submitted proof of the pupil's identity and age and the affidavit

explaining the inability to produce a certified copy of the birth record.

- C. Within 14 days after enrolling a transfer student, the administration shall request documentation that a certified copy of the pupil's birth record was presented when the pupil was enrolled in the former school.
- D. The School Board assigns a unique student identification number, determined in accordance with a system developed by the Department of Education, to each student enrolled in the division. No student identification number includes or is derived from the student's social security number. Each student retains the student's identification number for as long as the student is enrolled in a public elementary or secondary school in Virginia.
- E. Tuition rates are established each year in accordance with the provisions of Va. Code § 22.1-5.
- F. Prior to admission to the Lynchburg City School Division, the parent, guardian, or other person having control or charge of the child shall provide, upon registration,
- 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 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; and
 - a sworn statement or affirmation indicating whether the student has been found guilty of or adjudicated delinquent for any offense listed in subsection G of Va. Code § 16.1-260 or any substantially similar offense under the laws of any state, the District of Columbia, or the United States or its territories. This document shall be maintained by the Superintendent and by any others to whom he disseminates it, separately from all other records concerning the student.

However, if the school administrators or the School Board takes disciplinary action against a student based upon an incident which formed the basis for the adjudication of delinquency or conviction for an offense listed in subsection G of § 16.1-260, the notice shall become a part of the student's disciplinary record.

When the child is registered as a result of a foster care placement, the information required under this subsection must be furnished by the local social services agency or licensed child-placing agency that made the placement.

- G. A student, who has been expelled or suspended for more than thirty days from attendance at school by a school board or a private school in Virginia or in another state or for whom admission has been withdrawn by a private school in Virginia or another state may be excluded from attendance in the Lynchburg City School Division regardless of whether such student has been admitted to another school division or private school in Virginia or in

another state subsequent to such expulsion, suspension, or withdrawal of admission upon a finding that the student presents a danger to the other students or staff of the school division after (i) written notice to the student and his/her parent that the student may be subject to exclusion, including the reasons therefore, and notice of the opportunity for the student or his parent to participate in a hearing to be conducted by the Superintendent or his designee regarding such exclusion; and (ii) a hearing of the case has been conducted by the Superintendent or his/her designee; and the decision has been to exclude the student from attendance. The student or his parent may file a written petition for review with the School Board within 15 days of notice of the decision of the Superintendent or his/her designee. If the School Board grants a review of the record, the decision of the Superintendent or his/her designee may be altered.

Upon the expiration of the exclusion period for an expulsion or a withdrawal of admission, which period shall be established by the School Board, committee thereof, or Superintendent or his designee, as the case may be, at the relevant hearing, the student may petition the School Board for readmission. If the petition for readmission is rejected, the School Board shall identify the length of the continuing exclusion period and the subsequent date upon which such student may petition the School Board for readmission.

For the purposes of this section, the Superintendent's designee shall be a (i) trained hearing officer or (ii) professional employee within the administrative offices of the school division who reports directly to the Superintendent and who is not a school-based instructional or administrative employee.

In excluding any such expelled student from school attendance, the School Board may accept or reject any or all of any conditions for readmission imposed upon such student by the expelling school board pursuant to Va. Code § 22.1-277.06. The excluding School Board shall not impose additional conditions for readmission to school.

- H. This policy does not preclude contractual arrangements between the Lynchburg City School Board and agencies of the federal government or the school board of another jurisdiction to permit students not otherwise eligible to attend Lynchburg City Schools.
- I. Prior to admission, the student must document compliance with, or eligibility for exemption from, the physical examination and immunization requirements contained in Va. Code §§ 22.1-270, 22.1-271.2 and 32.1-46 and policies JHCA Physical Examinations of Students and JHCB Student Immunizations.

If the person enrolling a child who has been placed in foster care by a local social services agency is unable to produce a report of a comprehensive physical examination and/or proof of immunization, the student shall be immediately enrolled; however, the person enrolling the child shall provide a written statement that, to the best of his knowledge, the student is in good health and is free from communicable or contagious disease. In addition, the placing social service agency shall obtain and produce the required documents or otherwise ensure compliance with the statutory requirements for the foster child within 30 days after the child's

enrollment.

Adopted:

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-1, 22.1-3, 22.1-3.1, 22.1-3.2, 22.1-3.4, 22.1-5, 22.1-255, 22.1-260, 22.1-270, 22.1-271.2, 22.1-276.01, 22.1-277.2, 22.1-287.02, 22.1-288.2, 32.1-46, 63.2-100, 63.2-900, and 63.2-1200.

2007 Va. Opin. AG 07-015.
1987-88 Va. Opin. AG 374.

Cross Refs.:	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JHCA	Physical Examinations of Students
	JHCB	Immunization of Students
	JGD/JGE	Student Suspension/Expulsion

STUDENTS

Admission Requirements R 7-10A. Age

Persons who reach their fifth birthday on or before September thirtieth of each school year and who have not reached their twentieth birthday on or before August first of the school year may be admitted to school.

A birth certificate or temporary evidence of birth date shall be required for each person seeking enrollment in the school for the first time. This temporary evidence may consist of a properly executed hospital certificate, baptismal record, Bible entries, affidavits or other evidence bearing on the date of birth. When such temporary evidence is given it shall be understood that a proper birth certificate shall be produced within a reasonable time.

B. Residents

Persons of school age must satisfy residency requirements as established in State law and school board policy.

C. Physical Examination1. Generally

Persons desiring admission for the first time to kindergarten or elementary school must present evidence of having had a comprehensive physical examination performed no earlier than twelve months prior to the date of enrollment.

2. Exemption

Such physical examination shall not be required of any person whose parent or guardian shall object on religious grounds and who shows no visual evidence of sickness. The parent or guardian shall state in writing that, to the best of his/her knowledge, the person is in good health and free from any communicable or contagious disease.

D. Health Information Form

Parents or guardians of entering students shall complete a health information form within fifteen (15) days of receipt unless reasonable extensions are granted by the superintendent or a designee. Upon failure to complete the form within the extended time the student will be excluded from school after written notice to the parent or guardian stating the effective date of exclusion.

E. Immunization Requirements

STUDENTS

Admission Requirements (continued)1. Generally

- a. No person shall be admitted to any school in the division unless at the time of admission documentary proof is submitted of successful immunization against diphtheria, tetanus, whooping cough, poliomyelitis, measles (rubeola), German measles (rubella), and mumps.
- b. Beginning in the fall 2006, students entering sixth grade must show documentation that they have received a booster dose of pertussis-containing vaccine (Tdap). The immunization requirement also applies to students who are retained in fifth grade but had their last immunization five years ago.

2. Conditional Admission

- a. Any person whose immunizations are incomplete may be admitted conditionally if that person provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within ninety days. For the 2006-07 school year, entering sixth graders and students retained in the fifth grade who have not obtained the Tdap immunization may be enrolled conditionally for 90 days. After the 90 days of conditional enrollment the students must be excluded from school if they have not obtained the Tdap vaccine. This conditional enrollment is only for the 2006-07 school year.
 - b. The immunization record of each person admitted conditionally shall be reviewed periodically until required immunizations have been received.
 - c. Any person admitted conditionally and who fails to comply with his/her schedule for completion of the required immunizations shall be excluded from school until his/her immunizations are resumed.
3. Exemptions shall apply if the parent or guardian objects thereto because of religious tenets or practices or a physician states that the physical condition of the person is such that administration of one or more of the required immunizing agents would be detrimental to the person's health.

Regulatory Authority: (See Policy 7-10)

Code of Va. § 22.1-1. Definitions. "As used in this title unless the context requires otherwise or it is otherwise specifically provided:

STUDENTS

Admission Requirements (continued)

"Board" or "State Board" means the Board of Education.

"Division superintendent" means the division superintendent of schools of a school division.

"Elementary" includes kindergarten.

"Elementary and secondary" and "elementary or secondary" include elementary, middle, and high school grades.

"Governing body" or "local governing body" means the board of supervisors of a county, council of a city, or council of a town, responsible for appropriating funds for such locality, as the context may require.

"Middle school" means separate schools for early adolescents and the middle school grades that might be housed at elementary or high schools.

"Parent" or "parents" means any parent, guardian, legal custodian, or other person having control or charge of a child.

"Person of school age" means a person who will have reached his fifth birthday on or before September 30 of the school year and who has not reached twenty years of age on or before August 1 of the school year.

"School board" means the school board that governs a school division."

(1980, c. 559; 1985, c. 407; 1991, c. 178; 1995, c. 852; 2000, c. 629; 2001, c. 828.)

Code of Va. § 22.1-3. Persons to whom public schools shall be free. "The public schools in each school division shall be free to each person of school age who resides within the school division. Every person of school age shall be deemed to reside in a school division:

1. When the person is living with a natural parent, or a parent by legal adoption;
2. When the person is living with an individual who is defined as a parent in § [22.1-1](#), not solely for school purposes, pursuant to a Special Power of Attorney executed under Title 10, United States Code, § 1044b, by the custodial parent while such custodial parent is deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces;
3. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;

STUDENTS

Admission Requirements (continued)

4. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either (i) the court-appointed guardian, or has legal custody, of the person or (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § [63.2-1200](#);

5. When the person is living in the school division not solely for school purposes, as an emancipated minor; or

6. When the person living in the school division is a homeless child or youth, as set forth in this subdivision, who lacks a fixed, regular, and adequate nighttime residence. Such persons shall include (i) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an institution that provides a temporary residence for the mentally ill or individuals intended to be institutionalized; (c) have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (ii) migratory children, as defined in the Elementary and Secondary Education Act of 1965, as amended, who are deemed homeless as they are living in circumstances set forth in clause (i) of this subdivision.

For purposes of clause (i) of subdivision 6, "temporary shelter" means (i) any home, single or multi-unit dwelling or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.

If a person resides within housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is situated in more than one school division, the person shall be deemed to reside in and shall be entitled to attend a public school within either school division. However, if a person resides in housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, such person shall be deemed to reside only in the single school division in which the housing, temporary shelter, or primary nighttime residence is located. Notwithstanding any such residency determination, any person residing in housing, a temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is

STUDENTS

Admission Requirements (continued)

located lies within more than one school division, shall be deemed to reside in either school division, if such person or any sibling of such person residing in the same housing or temporary shelter attends, prior to July 1, 1999, or, in the case of a primary nighttime residence as described in subdivision 6, prior to July 1, 2000, a school within either school division in which the property on which the housing, temporary shelter, or primary nighttime residence is located.

School divisions shall comply with the requirements of the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.), to ensure that homeless children and youths shall receive the educational services comparable to those offered to other public school students.

School divisions serving the students identified in subdivision 6 shall coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.”

(Code 1950, § 22-218; 1954, c. 638; 1958, c. 628; 1968, c. 178; 1972, c. 245; 1976, cc. 681, 713; 1978, c. 518; 1980, cc. 559, 576; 1981, cc. 341, 342; 1993, c. 903; 1997, c. 826; 1999, cc. 368, 988; 2000, cc. 209, 830; 2004, cc. 500, 967.)

Code of Va. § 22.1-254. Compulsory attendance required; excuses and waivers; alternative education program attendance; exemptions from article. “A. Except as otherwise provided in this article, every parent, guardian, or other person in the Commonwealth having control or charge of any child who will have reached the fifth birthday on or before September 30 of any school year and who has not passed the eighteenth 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](#).”

As prescribed in the regulations of the Board of Education, the requirements of this section 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 subsection, 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.

Instruction in the home of a child or children by the parent, guardian or other person

STUDENTS

Admission Requirements (continued)

having control or charge of such child or children shall not be classified or defined as a private, denominational or parochial school.

The requirements of this section 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 subsection C of § [22.1-253.13:1](#) and in § [22.1-254.01](#). However, the requirements of this section shall (a) be satisfied for those persons 16 through 18 years of age who are housed in adult correctional facilities when such persons are actively pursuing a general educational development (GED) certificate but are not enrolled in an individual student alternative education plan pursuant to subsection D and (b) 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 article.

B. A school board shall excuse from attendance at school:

1. Any pupil 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 subdivision, "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 juvenile and domestic relations district court of the county or city in which the pupil resides and for such period of time as the court deems appropriate, any pupil who, together with his parents, is opposed to attendance at a school by reason of concern for such pupil's health, as verified by competent medical evidence, or by reason of such pupil's reasonable apprehension for personal safety when such concern or apprehension in that pupil's specific case is determined by the court, upon consideration of the recommendation of the principal and division superintendent, to be justified.

C. A school board 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 pupil 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 juvenile and domestic relations district court of the county or city in which the pupil resides, any pupil who, in the judgment of such court, cannot benefit from education at such school.

D. Local school boards may allow the requirements of subsection A of this section to be

STUDENTS

Admission Requirements (continued)

met under the following conditions:

For a student who is at least 16 years of age, there shall be a meeting of the student, the student's parents, and the principal or his designee of the school in which the student is enrolled in which an individual student alternative education plan shall be developed in conformity with guidelines prescribed by the Board, which plan must include:

- a. Career guidance counseling;
- b. Mandatory enrollment and attendance in a general educational development preparatory program or other alternative education program approved by the local 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;
- c. Counseling on the economic impact of failing to complete high school; and
- d. Procedures for reenrollment to comply with the requirements of subsection A of this section.

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 of the school division in which such student was last enrolled shall seek immediate compliance with the compulsory school attendance law as set forth in this article.

Students enrolled with an individual student alternative education plan shall be counted in the average daily membership of the school division.

E. A school board may, in accordance with the procedures set forth in Article 3 (§ [22.1-276.01](#) et seq.) of Chapter 14 of this title and upon a finding that a school-age child has been (i) charged with an offense relating to the Commonwealth's laws, or with a violation of school board policies, on weapons, alcohol or drugs, or intentional injury to another person; (ii) found guilty or not innocent of a crime that resulted in or could have resulted in injury to others, or of an offense that is required to be disclosed to the superintendent of the school division pursuant to subsection G of § [16.1-260](#); (iii) suspended pursuant to § [22.1-277.05](#); or (iv) expelled from school attendance pursuant to § [22.1-277.06](#) or § [22.1-277.07](#) or subsection B of § [22.1-277](#), require the child to attend an alternative education program as provided in § [22.1-209.1:2](#) or § [22.1-277.2:1](#).

F. Whenever a court orders any pupil into an alternative education program offered in the public schools, the local school board of the school division in which the program is offered shall determine the appropriate alternative education placement of the pupil,

STUDENTS

Admission Requirements (continued)

regardless of whether the pupil attends the public schools it supervises or resides within its school division.

The juvenile and domestic relations district court of the county or city in which a pupil resides or in which charges are pending against a pupil, or any court in which charges are pending against a pupil, may require the pupil who has been charged with (i) a crime which resulted in or could have resulted in injury to others, (ii) a violation of Article 1 (§ [18.2-77](#) et seq.) of Chapter 5 of Title 18.2, or (iii) any offense related to possession or distribution of any Schedule I, II, or III controlled substances to attend an alternative education program, including, but not limited to, night school, adult education, or any other education program designed to offer instruction to students for whom the regular program of instruction may be inappropriate.

This subsection shall not be construed to limit the authority of school boards to expel, suspend, or exclude students, as provided in §§ [22.1-277.04](#), [22.1-277.05](#), [22.1-277.06](#), [22.1-277.07](#), and [22.1-277.2](#). As used in this subsection, the term "charged" means that a petition or warrant has been filed or is pending against a pupil.

G. Within one calendar month of the opening of school, each school board shall send to the parents or guardian of each student enrolled in the division a copy of the compulsory school attendance law and the enforcement procedures and policies established by the school board.

H. The provisions of this article shall not apply to:

1. Children suffering from contagious or infectious diseases while suffering from such diseases;
2. Children whose immunizations against communicable diseases have not been completed as provided in § [22.1-271.2](#);
3. Children under 10 years of age who live more than two miles from a public school unless public transportation is provided within one mile of the place where such children live;
4. Children between the ages of 10 and 17, inclusive, who live more than 2.5 miles from a public school unless public transportation is provided within 1.5 miles of the place where such children live; and
5. Children excused pursuant to subsections B and C of this section.

Further, 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

STUDENTS

Admission Requirements (continued)

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.

The distances specified in subdivisions 3 and 4 of this subsection shall be measured or determined from the child's residence to the entrance to the school grounds or to the school bus stop nearest the entrance to the residence of such children by the nearest practical routes which are usable for walking or riding. Disease shall be established by the certificate of a reputable practicing physician in accordance with regulations adopted by the Board of Education. “

(Code 1950, § 22-275.1; 1952, c. 279; 1959, Ex. Sess., c. 72; 1968, c. 178; 1974, c. 199; 1976, cc. 681, 713; 1978, c. 518; 1980, c. 559; 1984, c. 436; 1989, c. 515; 1990, c. 797; 1991, c. 295; 1993, c. 903; 1996, cc. 163, 916, 964; 1997, c. 828; 1999, cc. 488, 552; 2000, c. 184; 2001, cc. 688, 820; 2003, c. 119; 2004, c. 251.)

Code of Va. § 22.1-270. Preschool physical examinations. “A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in a school division unless such pupil shall furnish, prior to admission, (i) 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 of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school or (ii) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the pupil is a homeless child or youth as defined in § [22.1-3](#), and for that reason cannot furnish the report or records required by (i) or (ii) of this subsection, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the local school division liaison, as described in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school, as required by such Act.

B. The physician, or licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, making a report of a physical examination required by this section shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.

STUDENTS

Admission Requirements (continued)

C. Such physical examination report shall be placed in the child'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.

D. Such physical examination shall not be required of any child whose parent shall object on religious grounds and who shows no visual evidence of sickness, provided that such parent shall state in writing that, to the best of his knowledge, such child is in good health and free from any communicable or contagious disease.

E. The health departments of all of the counties and cities of the Commonwealth shall conduct such physical examinations for medically indigent children without charge upon request and may provide such examinations to others on such uniform basis as such departments may establish.

F. Parents of entering students shall complete a health information form which shall be distributed by the local school divisions. Such forms shall be developed and provided jointly by the Department of Education and Department of Health, or developed and provided by the school division and approved by the Superintendent of Public Instruction. Such forms shall be returnable within 15 days of receipt unless reasonable extensions have been granted by the superintendent or his designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send to the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of § [22.1-3](#) shall be excluded from school for such failure to complete such form.”

(Code 1950, § 22-220.1; 1972, c. 761; 1973, c. 300; 1974, c. 160; 1979, cc. 120, 260; 1980, c. 559; 1982, c. 510; 1983, c. 195; 1985, c. 334; 2000, cc. 209, 617, 646; 2001, c. 261; 2004, cc. 500, 967.)

Code of Va. § 22.1-271.1. Definitions. “For the purpose of § [22.1-271.2](#):

"Admit" or "admission" means the official enrollment or reenrollment for attendance at any grade level, whether full-time or part-time, of any student by any school.

"Admitting official" means the school principal or his designated representative if a public school; if a nonpublic school or child-care center, the principal, headmaster or director of the school or center.

"Documentary proof" means written certification that a student has been immunized, such certificate to be on a form provided by the State Department of Health and signed by the licensed immunizing physician or an employee of the immunizing local health department.

STUDENTS

Admission Requirements (continued)

"Student" means any person who seeks admission to a school, or for whom admission to a school is sought by a parent or guardian, and who will not have attained the age of 20 years by the start of the school term for which admission is sought.

"Immunized" or "immunization" means initial immunization and any boosters or reimmunizations required by § [32.1-46](#).

"School" means (i) any public school from kindergarten through grade 12 operated under the authority of any locality within the Commonwealth, (ii) any private or religious school that offers instruction at any level or grade from kindergarten through grade twelve, and (iii) any private or religious nursery school or preschool, or any private or religious child-care center required to be licensed by the Commonwealth."

(1982, c. 510; 1983, c. 433; 2005, c. 928.)

Code of Va. § 22.1-271.2. Immunization requirements. "A. No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization to the admitting official of the school or unless the student is exempted from immunization pursuant to subsection C or is a homeless child or youth as defined in subdivision 6 of § [22.1-3](#). If a student does not have documentary proof of immunization, the school shall notify the student or his parent (i) that it has no documentary proof of immunization for the student; (ii) that it may not admit the student without proof unless the student is exempted pursuant to subsection C, including any homeless child or youth as defined in subdivision 6 of § [22.1-3](#); (iii) that the student may be immunized and receive certification by a licensed physician, registered nurse or an employee of a local health department; and (iv) how to contact the local health department to learn where and when it performs these services. Neither this Commonwealth nor any school or admitting official shall be liable in damages to any person for complying with this section.

Any physician, registered nurse or local health department employee performing immunizations shall provide to any person who has been immunized or to his parent, upon request, documentary proof of immunizations conforming with the requirements of this section.

B. Any student whose immunizations are incomplete may be admitted conditionally if that student provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 days.

The immunization record of each student admitted conditionally shall be reviewed periodically until the required immunizations have been received.

Any student admitted conditionally and who fails to comply with his schedule for

STUDENTS

Admission Requirements (continued)

completion of the required immunizations shall be excluded from school until his immunizations are resumed.

C. No certificate of immunization shall be required for the admission to school of any student if (i) the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or (ii) the school has written certification from a licensed physician or a local health department that one or more of the required immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

However, if a student is a homeless child or youth as defined in subdivision 6 of § [22.1-3](#) and (a) does not have documentary proof of necessary immunizations or has incomplete immunizations and (b) is not exempted from immunization pursuant to clauses (i) or (ii) of this subsection, the school division shall immediately admit such student and shall immediately refer the student to the local school division liaison, as described in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall assist in obtaining the documentary proof of, or completing, immunization and other services required by such Act.

D. The admitting official of a school shall exclude from the school any student for whom he does not have documentary proof of immunization or notice of exemption pursuant to subsection C, including notice that such student is a homeless child or youth as defined in subdivision 6 of § [22.1-3](#).

E. Every school shall record each student's immunizations on the school immunization record. The school immunization record shall be a standardized form provided by the State Department of Health, which shall be a part of the mandatory permanent student record. Such record shall be open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record shall be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official shall file a report with the local health department. The report shall be filed on forms prepared by the State Department of Health and shall state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in subdivision 6 of § [22.1-3](#).

F. The requirement for Haemophilus Influenzae Type b immunization as provided in §

STUDENTS

Admission Requirements (continued)

[32.1-46](#) shall not apply to any child admitted to any grade level, kindergarten through grade 12.

G. The Board of Health shall promulgate rules and regulations for the implementation of this section in congruence with rules and regulations of the Board of Health promulgated under § [32.1-46](#) and in cooperation with the Board of Education.”

(1982, c. 510; 1983, c. 433; 1988, c. 216; 1989, c. 382; 2000, c. 476; 2004, c. 500.)

Code of Va. § 32.1-46. Immunization of patients against certain diseases. “A. (Contingent on 2006 General Appropriation Act) The parent, guardian or person standing in loco parentis of each child within this Commonwealth shall cause such child to be immunized by vaccine against diphtheria, tetanus, whooping cough and poliomyelitis before such child attains the age of one year, against Haemophilus influenzae type b before he attains the age of 30 months, and against measles (rubeola), German measles (rubella) and mumps before such child attains the age of two years. All children born on or after January 1, 1994, shall be required to receive immunization against hepatitis B before their first birthday. All children shall also be required to receive a second dose of measles (rubeola) vaccine in accordance with the regulations of the Board. The Board's regulations shall require that all children receive a second dose of measles (rubeola) vaccine prior to first entering kindergarten or first grade and that all children who have not yet received a second dose of measles (rubeola) vaccine receive such second dose prior to entering the sixth grade. All children born on or after January 1, 1997, shall be required to receive immunization against varicella zoster (chicken pox), not earlier than the age of 12 months. Children who have evidence of immunity as demonstrated by laboratory confirmation of immunity or a reliable medical history of disease are exempt from such requirement. After July 1, 2001, all children who have not yet received immunization against hepatitis B shall receive such immunization prior to entering sixth grade.

The parent, guardian or person standing in loco parentis may have such child immunized by a physician or registered nurse or may present the child to the appropriate local health department, which shall administer the required vaccines without charge.

A. (Contingent on 2006 General Appropriation Act) The parent, guardian or person standing in loco parentis of each child within this Commonwealth shall cause such child to be immunized by vaccine against diphtheria, tetanus, whooping cough and poliomyelitis before such child attains the age of one year, against Haemophilus influenzae type b before he attains the age of 30 months, and against measles (rubeola), German measles (rubella) and mumps before such child attains the age of two years. All children born on or after January 1, 1994, shall be required to receive immunization against hepatitis B before their first birthday. All children shall also be required to receive a second dose of measles (rubeola) and a booster dose of tetanus toxoid, reduced diphtheria toxoid, and acellular pertussis (Tdap) vaccine in accordance with the

STUDENTS

Admission Requirements (continued)

regulations of the Board. The Board's regulations shall require that all children receive a second dose of measles (rubeola) vaccine prior to first entering kindergarten or first grade and that all children who have not yet received a second dose of measles (rubeola) vaccine receive such second dose prior to entering the sixth grade. Further, the Board's regulations shall require that all children receive a booster dose of Tdap vaccine prior to entering the sixth grade if at least five years have elapsed since the last dose of tetanus toxoid-containing vaccine. All children born on or after January 1, 1997, shall be required to receive immunization against varicella zoster (chicken pox), not earlier than the age of 12 months. Children who have evidence of immunity as demonstrated by laboratory confirmation of immunity or a reliable medical history of disease are exempt from such requirement. After July 1, 2001, all children who have not yet received immunization against hepatitis B shall receive such immunization prior to entering sixth grade.

The parent, guardian or person standing in loco parentis may have such child immunized by a physician or registered nurse or may present the child to the appropriate local health department, which shall administer the required vaccines without charge.

A. (Contingent on 2006 General Appropriation Act) The parent, guardian or person standing in loco parentis of each child within this Commonwealth shall cause such child to be immunized in accordance with the Immunization Schedule developed and published by the Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP). The required immunizations for attendance at a public or private elementary, middle or secondary school, child care center, nursery school, family day care home or developmental center shall be those set forth in the State Board of Health Regulations for the Immunization of School Children. The Board's regulations shall at a minimum require:

1. A minimum of three properly spaced doses of hepatitis B vaccine (HepB).
2. A minimum of three or more properly spaced doses of diphtheria toxoid. One dose shall be administered on or after the fourth birthday. A booster dose shall be administered prior to entering the sixth grade if at least five years have passed since the last dose of diphtheria toxoid.
3. A minimum of three or more properly spaced doses of tetanus toxoid. One dose shall be administered on or after the fourth birthday. A booster dose shall be administered prior to entering the sixth grade if at least five years have passed since the last dose of tetanus toxoid.
4. A minimum of three or more properly spaced doses of acellular pertussis vaccine. One dose shall be administered on or after the fourth birthday. A booster dose shall be administered prior to entry into the sixth grade if at least five years have passed since

STUDENTS

Admission Requirements (continued)

the last dose of pertussis vaccine.

5. Two or three primary doses of Haemophilus influenzae type b (Hib) vaccine, depending on the manufacturer, for children up to 60 months of age.

6. Two properly spaced doses of live attenuated measles (rubeola) vaccine. The first dose shall be administered at age 12 months or older.

7. One dose of live attenuated rubella vaccine shall be administered at age 12 months or older.

8. One dose of live attenuated mumps vaccine shall be administered at age 12 months or older.

9. All susceptible children born on and after January 1, 1997, shall be required to have one dose of varicella vaccine on or after 12 months.

10. Three or more properly spaced doses of oral polio vaccine (OPV) or inactivated polio vaccine (IPV). One dose shall be administered on or after the fourth birthday. A fourth dose shall be required if the three dose primary series consisted of a combination of OPV and IPV.

11. Two to four doses, dependent on age at first dose, of properly spaced pneumococcal 7-valent conjugate (PVC) vaccine for children less than two years of age.

The parent, guardian or person standing in loco parentis may have such child immunized by a physician or registered nurse or may present the child to the appropriate local health department, which shall administer the vaccines required by the State Board of Health Regulations for the Immunization of School Children without charge.

B. A physician, registered nurse or local health department administering a vaccine required by this section shall provide to the person who presents the child for immunizations a certificate that shall state the diseases for which the child has been immunized, the numbers of doses given, the dates when administered and any further immunizations indicated.

C. The vaccines required by this section shall meet the standards prescribed in, and be administered in accordance with, regulations of the Board.

D. The provisions of this section shall not apply if:

1. The parent or guardian of the child objects thereto on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices, unless an emergency or epidemic of disease has been declared by the Board, or

STUDENTS

Admission Requirements (continued)

2. The parent or guardian presents a statement from a physician licensed to practice medicine in Virginia, or a licensed nurse practitioner, that states that the physical condition of the child is such that the administration of one or more of the required immunizing agents would be detrimental to the health of the child.

E. For the purpose of protecting the public health by ensuring that each child receives age-appropriate immunizations, any physician, physician assistant, nurse practitioner, licensed institutional health care provider, local or district health department, the Virginia Immunization Information System, and the Department of Health may share immunization and patient locator information without parental authorization, including, but not limited to, the month, day, and year of each administered immunization; the patient's name, address, telephone number, birth date, and social security number; and the parents' names. The immunization information; the patient's name, address, telephone number, birth date, and social security number; and the parents' names shall be confidential and shall only be shared for the purposes set out in this subsection.

F. (Contingent on 2006 General Appropriation Act) The State Board of Health shall review this section annually and make recommendations for revision by September 1 to the Governor, the General Assembly, and the Joint Commission on Health Care.

(Code 1950, § 32-57.1; 1968, c. 592; 1972, c. 558; 1979, c. 711; 1980, c. 410; 1989, c. 382; 1991, c. 133; 1992, cc. 127, 166; 1994, c. 62; 1995, cc. 729, 742; 1996, cc. 67, 533; 1999, cc. 632, 676, 738; 2000, c. 476; 2004, c. 855; 2005, cc. 643, 684; 2006, cc. 364, 396, 716.)

Approved by Superintendent: August 4, 1981

Revised by Superintendent: August 2, 1983

Revised by School Board: June 20, 2006

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**See VSBA Policy JEC
on page 4 of this manual.**

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PHYSICAL EXAMINATIONS OF STUDENTS

- A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in Lynchburg City School Division unless such pupil furnishes, prior to admission,
- (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 of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school; or
 - (2) Records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.
- B. If the pupil is a homeless child or youth as defined in Va. Code § 22.1-3, and for that reason cannot furnish the required report or records, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the division's homeless liaison, who will, as soon as practicable, assist in obtaining the necessary physical examination by the local health department or other clinic or physician's office and shall immediately admit the pupil to school.
- C. The health care provider making a report of a physical examination shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.
- D. Physical examination reports shall be placed in the child'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.
- E. A physical examination shall not be required of any child whose parent or guardian objects on religious grounds and who shows no visible evidence of sickness. The parent or guardian shall state in writing that, to the best of his or her knowledge, the child is in good health and free from any communicable or contagious disease.
- F. The health departments of the counties and cities of the Commonwealth shall conduct such required physical examinations for medically indigent children, upon request, without charge and may provide such examinations to others on such uniform basis as the departments establish.
- G. Parents/guardians of students entering school shall complete a health information form as required by state law. Such forms shall be returned within 15 days of receipt unless reasonable extensions have been granted by the Superintendent or his designee. Upon failure of the parent to complete such form within the extended time, the Superintendent may send

the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of Va. Code § 22.1-3 shall be excluded from school for such failure to complete such form.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-270.

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

STUDENT IMMUNIZATIONS

No student shall be admitted by a school unless at the time of admission the student or his parent submits documentary proof of immunization as required by Va. Code §§ [22.1-271.2](#) and [32.1-46](#) to the admitting official of the school or unless the student is exempted from immunization as described below or is a homeless child or youth as defined in Va. Code § 22.1-3.

If a student does not have documentary proof of immunization, the school will notify the student or his parent

- (i) that it has no documentary proof of immunization for the student;
- (ii) that it may not admit the student without proof unless the student is exempted, including any homeless child or youth as defined in Va. Code § 22.1-3;
- (iii) that the student may be immunized and receive certification by a licensed physician, physician assistant, nurse practitioner, registered nurse or an employee of a local health department; and
- (iv) how to contact the local health department to learn where and when it performs these services.

Any parent, guardian, or other person having control or charge of a child being home instructed or exempted or excused from school attendance shall comply with immunization requirements provided in Va. Code §§ [22.1-271.4](#) and 32.1-46 in the same manner and to the same extent as if the child has been enrolled in and is attending school.

Conditional Enrollment

Any student whose immunizations are incomplete may be admitted conditionally if he provides documentary proof at the time of enrollment of having received at least one dose of the required immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period will be 180 calendar days.

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

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

Exemptions

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

- (i) the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student's religious tenets or practices; or
- (ii) the school has written certification from a licensed physician, physician assistant, nurse practitioner, or local health department that one or more of the required

immunizations may be detrimental to the student's health, indicating the specific nature and probable duration of the medical condition or circumstance that contraindicates immunization.

Homeless Pupils

If a student is a homeless child or youth as defined in Va. Code § 22.1-3 and

- (a) does not have documentary proof of necessary immunizations or has incomplete immunizations and
- (b) is not exempted from immunization,

the school division will immediately admit such student and will immediately refer the student to the local school division homeless liaison who will assist in obtaining the documentary proof of, or completing, immunization.

Immunization Record

Every school records each student's immunizations on the school immunization record. The school immunization record is a standardized form provided by the State Department of Health, which will be a part of the mandatory permanent student record. Such record is open to inspection by officials of the State Department of Health and the local health departments.

The school immunization record will be transferred by the school whenever the school transfers any student's permanent academic or scholastic records.

Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting official will file a report with the local health department. The report will be filed on forms prepared by the State Department of Health and will state the number of students admitted to school with documentary proof of immunization, the number of students who have been admitted with a medical or religious exemption and the number of students who have been conditionally admitted, including those students who are homeless children or youths as defined in Va. Code § 22.1-3.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-271.2, 22.1-271.4, 32.1-46, 54.1-2952.2, 54.1-2957.02.

12 VAC 5-110-10.

Cross Refs.:	JEC	School Admission
	JECA	Admission of Homeless Students
	JO	Student Records
	LBD	Home Instruction

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STUDENTS

Admission Requirements – Homeless Students – 7-10.1A. Generally

The Lynchburg City School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. The school division will coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The Lynchburg City Schools will serve each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
- if the student becomes homeless between academic years or during an academic year; or
- for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Lynchburg City School board shall

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student's parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the district's homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

B. Enrollment

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, birth records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to

STUDENTS

Admission Requirements – Homeless Students (continued)

obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization, birth, or medical records, the enrolling school shall immediately refer the parent or guardian of the student to Lynchburg City Schools' homeless liaison, who shall assist in obtaining necessary immunizations, or immunization, birth, or medical records.

If the documentation regarding the comprehensive physical examination required by School Board Policy 7-10 cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his or her knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the local school division homeless liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the city health department or other clinic or physician's office and shall immediately admit the pupil to school.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

C. Enrollment Disputes

If a dispute arises over school selection or enrollment in a school

- the homeless student shall be immediately admitted to the school in which enrollment is sought and provided all services for which he or she is eligible, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the district's homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

D. Appeal Process1. Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

STUDENTS

Admission Requirements – Homeless Students (continued)2. Written Complaint

If the disagreement is not resolved within five school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the superintendent of the formal complaint and its resolution.

3. Appeal to Superintendent

If the complainant is not satisfied with the written decision of the homeless liaison, the complainant may appeal that decision to the superintendent by filing a written appeal. The homeless liaison shall ensure that the superintendent receives copies of the written complaint and the response thereto. The superintendent or designee shall schedule a conference with the complainant to discuss the complaint. Within five school days of receiving the written appeal, the superintendent, or designee, shall provide a written decision to the complainant including a statement of the reasons therefore.

E. Comparable Services

Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- programs in vocational and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

F. Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation will be provided for a homeless student to and from the school of origin as follows:

STUDENTS

Admission Requirements – Homeless Students (continued)

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.

G. Definitions:

The term “homeless student” means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
 - a. are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
 - c. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school district to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

STUDENTS

Admission Requirements – Homeless Students (continued)

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Legal Reference:

20 U.S.C. § 6399

42 U.S.C. §§ 11302, 11431 et seq.

Code of Va. , § 22.1-3. Persons to whom public schools shall be free. “A. The public schools in each school division shall be free to each person of school age who resides within the school division. Every person of school age shall be deemed to reside in a school division:

1. 1. When the person is living with a natural parent, or a parent by legal adoption;
2. When the person is living with an individual who is defined as a parent in § [22.1-1](#), not solely for school purposes, pursuant to a Special Power of Attorney executed under Title 10, United States Code, § 1044b, by the custodial parent while such custodial parent is deployed outside the United States as a member of the Virginia National Guard or as a member of the United States Armed Forces;
3. When the parents of such person are dead and the person is living with a person in loco parentis who actually resides within the school division;
4. When the parents of such person are unable to care for the person and the person is living, not solely for school purposes, with another person who resides in the school division and is either (i) the court-appointed guardian, or has legal custody, of the person or (ii) acting in loco parentis pursuant to placement of the person for adoption by a person or entity authorized to do so under § [63.2-1200](#);
5. When the person is living in the school division not solely for school purposes, as an emancipated minor; or
6. When the person living in the school division is a homeless child or youth, as set forth in this subdivision, who lacks a fixed, regular, and adequate nighttime residence. Such persons shall include (i) children and youths, including unaccompanied youths who are not in the physical custody of their parents, who (a) are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement; (b) are living in an

STUDENTS

Admission Requirements – Homeless Students (continued)

institution that provides a temporary residence for the mentally ill or individuals intended to be institutionalized; (c) have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or (d) are living in parked cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and (ii) migratory children, as defined in the Elementary and Secondary Education Act of 1965, as amended, who are deemed homeless as they are living in circumstances set forth in clause (i) of this subdivision.

For purposes of clause (i) of subdivision 6, "temporary shelter" means (i) any home, single or multi-unit dwelling or housing unit in which persons who are without housing or a fixed address receive temporary housing or shelter or (ii) any facility specifically designed or approved for the purpose of providing temporary housing or shelter to persons who are without permanent housing or a fixed address.

If a person resides within housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is situated in more than one school division, the person shall be deemed to reside in and shall be entitled to attend a public school within either school division. However, if a person resides in housing, temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, such person shall be deemed to reside only in the single school division in which the housing, temporary shelter, or primary nighttime residence is located. Notwithstanding any such residency determination, any person residing in housing, a temporary shelter, or primary nighttime residence as described in subdivision 6 that is located in one school division, but the property on which such housing, temporary shelter, or primary nighttime residence is located lies within more than one school division, shall be deemed to reside in either school division, if such person or any sibling of such person residing in the same housing or temporary shelter attends, prior to July 1, 1999, or, in the case of a primary nighttime residence as described in subdivision 6, prior to July 1, 2000, a school within either school division in which the property on which the housing, temporary shelter, or primary nighttime residence is located.

School divisions shall comply with the requirements of the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.), to ensure that homeless children and youths shall receive the educational services comparable to those offered to other public school students.

School divisions serving the students identified in subdivision 6 shall coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

STUDENTS

Admission Requirements – Homeless Students (continued)

B. In the interest of providing educational continuity to the children of military personnel, no child of a person on active military duty attending a school free of charge in accordance with this section shall be charged tuition by that school division 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 the school division they attended immediately prior to the relocation and shall not be charged tuition for attending such school. Such children shall be counted in the average daily membership of the school division in which they are enrolled. Further, the school division in which such children are enrolled subsequent to their relocation to base housing shall not be responsible for providing for their transportation to and from school.”

(Code 1950, § 22-218; 1954, c. 638; 1958, c. 628; 1968, c. 178; 1972, c. 245; 1976, cc. 681, 713; 1978, c. 518; 1980, cc. 559, 576; 1981, cc. 341, 342; 1993, c. 903; 1997, c. 826; 1999, cc. 368, 988; 2000, cc. 209, 830; 2004, cc. 500, 967; 2006, c. 188.)

Code of Va., § 22.1-70. Powers and duties of superintendent generally. “A division superintendent shall perform such other duties as may be prescribed by law, by the school board and by the State Board.”

(Code 1950, § 22-36; 1980, c. 559.)

Code of Va., § 22.1-78. Bylaws and regulations. “A school board may adopt bylaws and regulations, not inconsistent with state statutes and regulations of the Board of Education, for its own government, for the management of its official business and for the supervision of schools, including but not limited to the proper discipline of students, including their conduct going to and returning from school.”

(Code 1950, §§ 22-72, 22-96, 22-97; 1954, cc. 289, 291; 1956, Ex. Sess., c. 60; 1959, Ex. Sess., c. 79, § 1; 1966, c. 691; 1968, c. 501; 1970, c. 71; 1971, Ex. Sess., c. 161; 1972, c. 511; 1975, cc. 308, 328; 1980, c. 559.)

Code of Va., § 22.1-253.13:1. Standard 1. Instructional programs supporting the Standards of Learning and other educational objectives. “A. The General Assembly and the Board of Education believe that the fundamental goal of the public schools of this Commonwealth must be to enable each student to develop the skills that are necessary for success in school, preparation for life, and reaching their full potential. The General Assembly and the Board of Education find that the quality of education is dependent upon the provision of (i) the appropriate working environment, benefits, and salaries necessary to ensure the availability of high-quality instructional personnel; (ii) the appropriate learning environment designed to promote student achievement; (iii) quality instruction that enables each student to become a productive and educated citizen of

STUDENTS

Admission Requirements – Homeless Students (continued)

Virginia and the United States of America; and (iv) the adequate commitment of other resources. In keeping with this goal, the General Assembly shall provide for the support of public education as set forth in Article VIII, Section 1 of the Constitution of Virginia.

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

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

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

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

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

In addition, the Department of Education shall make available and maintain a website, either separately or through an existing website utilized by the Department of Education,

STUDENTS

Admission Requirements – Homeless Students (continued)

enabling public elementary, middle, and high school educators to submit recommendations for improvements relating to the Standards of Learning, when under review by the Board according to its established schedule, and related assessments required by the Standards of Quality pursuant to this chapter. Such website shall facilitate the submission of recommendations by educators.

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

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

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

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

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

STUDENTS

Admission Requirements – Homeless Students (continued)

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

Any student who fails to achieve a passing score on all of the Standards of Learning assessments for the relevant grade level in grades three through eight or who fails an end-of-course test required for the award of a verified unit of credit shall be required to attend a remediation program or to participate in another form of remediation. Division superintendents shall require such students to take special programs of prevention, intervention, or remediation, which may include attendance in public summer school programs, in accordance with clause (ii) of subsection A of § [22.1-254](#) and § [22.1-254.01](#).

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

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

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

D. Local school boards shall also implement the following:

1. 1. Programs in grades K through three that emphasize developmentally appropriate

STUDENTS

Admission Requirements – Homeless Students (continued)

learning to enhance success.

2. Programs based on prevention, intervention, or remediation designed to increase the number of students who earn a high school diploma and to prevent students from dropping out of school. Such programs shall include components that are research-based.

3. Career and technical education programs incorporated into the K through 12 curricula that include:

a. Knowledge of careers and all types of employment opportunities including, but not limited to, apprenticeships, entrepreneurship and small business ownership, the military, and the teaching profession, and emphasize the advantages of completing school with marketable skills;

b. Career exploration opportunities in the middle school grades; and

c. Competency-based career and technical education programs that integrate academic outcomes, career guidance and job-seeking skills for all secondary students. Programs must be based upon labor market needs and student interest. Career guidance shall include counseling about available employment opportunities and placement services for students exiting school. Each school board shall develop and implement a plan to ensure compliance with the provisions of this subdivision. Such plan shall be developed with the input of area business and industry representatives and local community colleges and shall be submitted to the Superintendent of Public Instruction in accordance with the timelines established by federal law.

4. Early identification of students with disabilities and enrollment of such students in appropriate instructional programs consistent with state and federal law.

5. Early identification of gifted students and enrollment of such students in appropriately differentiated instructional programs.

6. Educational alternatives for students whose needs are not met in programs prescribed elsewhere in these standards. Such students shall be counted in average daily membership (ADM) in accordance with the regulations of the Board of Education.

7. Adult education programs for individuals functioning below the high school completion level. Such programs may be conducted by the school board as the primary agency or through a collaborative arrangement between the school board and other agencies.

8. A plan to make achievements for students who are educationally at risk a divisionwide priority that shall include procedures for measuring the progress of such students.

STUDENTS

Admission Requirements – Homeless Students (continued)

9. A plan to notify students and their parents of the availability of dual enrollment and advanced placement classes, the International Baccalaureate Program, and Academic Year Governor's School Programs, the qualifications for enrolling in such classes and programs, and the availability of financial assistance to low-income and needy students to take the advanced placement and International Baccalaureate examinations.

10. Identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs.

11. Early identification, diagnosis, and assistance for students with reading and mathematics problems and provision of instructional strategies and reading and mathematics practices that benefit the development of reading and mathematics skills for all students.

12. Incorporation of art, music, and physical education as a part of the instructional program at the elementary school level.

13. A program of physical fitness available to all students with a goal of at least 150 minutes per week on average during the regular school year. Such program may include any combination of (i) physical education classes, (ii) extracurricular athletics, or (iii) other programs and physical activities deemed appropriate by the local school board. Each local school board shall incorporate into its local wellness policy a goal for the implementation of such program during the regular school year.

14. A program of student services for grades kindergarten through 12 that shall be designed to aid students in their educational, social, and career development.

15. The collection and analysis of data and the use of the results to evaluate and make decisions about the instructional program.

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

STUDENTS

Admission Requirements – Homeless Students (continued)

shall give priority to those divisions demonstrating a less than 70 percent passing rate on the Standards of Learning assessments.”

(1988, cc. 645, 682; 1990, cc. 797, 820, 839; 1991, cc. 295, 304; 1992, cc. 132, 591; 1994, cc. 618, 790; 1996, cc. 163, 522; 1997, cc. 466, 828, 829; 1998, cc. 103, 602, 627, 800, 816, 902; 1999, cc. 377, 444, 445, 452, 461, 488, 552, 595, 994; 2000, cc. 504, 547, 653, 662, 677, 684, 710, 750, 867; 2001, c. 483; 2002, c. 837; 2003, cc. 690, 697, 714, 861; 2004, cc. 404, 848, 939, 955; 2005, cc. 331, 450; 2007, c. 234; 2008, c. 661.)

Code of Va., § 22.1-270. Preschool physical examinations. “A. No pupil shall be admitted for the first time to any public kindergarten or elementary school in a school division unless such pupil shall furnish, prior to admission, (i) 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 of a scope prescribed by the State Health Commissioner performed within the 12 months prior to the date such pupil first enters such public kindergarten or elementary school or (ii) records establishing that such pupil furnished such report upon prior admission to another school or school division and providing the information contained in such report.

If the pupil is a homeless child or youth as defined in § [22.1-3](#), and for that reason cannot furnish the report or records required by (i) or (ii) of this subsection, and the person seeking to enroll the pupil furnishes to the school division an affidavit so stating and also indicating that, to the best of his knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the local school division liaison, as described in the federal McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. § 11431 et seq.) (the Act), who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school, as required by such Act.

B. The physician, or licensed nurse practitioner or licensed physician assistant acting under the supervision of a licensed physician, making a report of a physical examination required by this section shall, at the end of such report, summarize the abnormal physical findings, if any, and shall specifically state what, if any, conditions are found that would identify the child as handicapped.

C. Such physical examination report shall be placed in the child'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.

STUDENTS

Admission Requirements – Homeless Students (continued)

D. Such physical examination shall not be required of any child whose parent shall object on religious grounds and who shows no visual evidence of sickness, provided that such parent shall state in writing that, to the best of his knowledge, such child is in good health and free from any communicable or contagious disease.

E. The health departments of all of the counties and cities of the Commonwealth shall conduct such physical examinations for medically indigent children without charge upon request and may provide such examinations to others on such uniform basis as such departments may establish.

F. Parents of entering students shall complete a health information form which shall be distributed by the local school divisions. Such forms shall be developed and provided jointly by the Department of Education and Department of Health, or developed and provided by the school division and approved by the Superintendent of Public Instruction. Such forms shall be returnable within 15 days of receipt unless reasonable extensions have been granted by the superintendent or his designee. Upon failure of the parent to complete such form within the extended time, the superintendent may send to the parent written notice of the date he intends to exclude the child from school; however, no child who is a homeless child or youth as defined in subdivision 6 of § [22.1-3](#) shall be excluded from school for such failure to complete such form.”

(Code 1950, § 22-220.1; 1972, c. 761; 1973, c. 300; 1974, c. 160; 1979, cc. 120, 260; 1980, c. 559; 1982, c. 510; 1983, c. 195; 1985, c. 334; 2000, cc. 209, 617, 646; 2001, c. 261; 2004, cc. 500, 967.)

Adopted by School Board: February 3, 2009

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ADMISSION OF HOMELESS CHILDREN

The Lynchburg City School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless. The school division will coordinate the identification and provision of services to such students with relevant local social services agencies and other agencies and programs providing services to such students, and with other school divisions as may be necessary to resolve interdivisional issues.

The Lynchburg City School Division will serve each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
- if the student becomes homeless between academic years or during an academic year; or
- for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the Lynchburg City School Board shall

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student's parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the division's homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

Enrollment

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, birth records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization, birth, or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the division's homeless liaison, who shall assist in obtaining necessary immunizations, or immunization, birth,

or medical records.

If the documentation regarding the comprehensive physical examination required by Policy JHCA Physical Examinations of Students cannot be furnished for a homeless child or youth, and the person seeking to enroll the pupil furnishes to the school division an affidavit stating that the documentation cannot be provided because of the homelessness of the child or youth and also indicating that, to the best of his or her knowledge, such pupil is in good health and free from any communicable or contagious disease, the school division shall immediately refer the student to the division's homeless liaison who shall, as soon as practicable, assist in obtaining the necessary physical examination by the county or city health department or other clinic or physician's office and shall immediately admit the pupil to school.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

Enrollment Disputes

If a dispute arises over school selection or enrollment in a school

- the homeless student shall be immediately admitted to the school in which enrollment is sought and provided all services for which he or she is eligible, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the division's homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Appeal Process

Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral

complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

Appeal to Superintendent

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Superintendent by filing a written appeal. The homeless liaison shall ensure that the Superintendent receives copies of the written complaint and the response thereto. The Superintendent or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Superintendent, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

Comparable Services

Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- programs in vocational and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

Transportation

At the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), transportation will be provided for a homeless student to and from the school of origin as follows:

- if the homeless child or youth continues to live in the area served by the division in which the school of origin is located, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the division in which the school of origin is located.
- if the homeless child's or youth's living arrangements in the area served by the division in which the school of origin is located terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another division, the division of origin and the division in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the divisions are unable to agree upon such method, the responsibility and costs for

transportation shall be shared equally.

Definitions

The term “homeless student” means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

1. children and youths, including unaccompanied youths who are not in the physical custody of their parents, who
 - a. are sharing the housing of other persons due to loss of housing, economic hardship, or other causes; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations or in emergency, congregate, temporary, or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
 - b. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
 - c. are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

2. migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school division to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Adopted:

Legal Refs.: 20 U.S.C. § 6399

42 U.S.C. §§ 11302, 11431, 11432, 11433.

Code of Virginia, 1950 as amended, §§ 22.1-3, 22.1-70, 22.1-78,
22.1-253.13:1, 22.1-270.

Superintendent's Memo No. 64 (Dec. 5, 2003).

Cross Ref.:	JEC	School Admission
	JHCA	Physical Examinations of Students

STUDENTS

Nonresidents P 7-14

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

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

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

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

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

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

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

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

Legal Reference

Code of Va., §22.1-5. Regulations concerning admission of certain persons to schools; tuition charges. – "A. Consistent with Article VIII, Section 1 of the Constitution of Virginia, no person may be charged tuition for admission or enrollment in the public schools of the Commonwealth, whether on a full-time or part-time basis, who meets the residency

STUDENTS

Nonresidents P 7-14 (continued)

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

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

1. Persons who reside within the school division but who are not of school age.
2. Persons of school age who are residents of the Commonwealth but who do not reside within the school division, except as provided in this section.
3. Persons of school age who are attending school in the school division pursuant to a foreign student exchange program approved by the school board.
4. Persons of school age who reside beyond the boundaries of the Commonwealth but near thereto in a state or the District of Columbia which grants the same privileges to residents of the Commonwealth.
5. Persons of school age who reside on a military or naval reservation located wholly or partly within the geographical boundaries of the school division and who are not domiciled residents of the Commonwealth of Virginia; however, no person of school age residing on a military or naval reservation located wholly or partly within the geographical boundaries of the school division may be charged tuition if federal funds provided under P.L. 874 of 1950, commonly known as Impact Aid, shall fund such students at not less than 50 percent of the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division.

STUDENTS

Nonresidents P 7-14 (continued)

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

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

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

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

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

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

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

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

STUDENTS

Nonresidents P 7-14 (continued)

1. When such child has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;

2. When such child has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or

3. When such child, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

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

1. When the child with disabilities has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children;

2. When such child with disabilities has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or

3. When such child with disabilities, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ [63.2-1700](#) et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

C. Each school division shall keep an accurate record of the number of days which any child, identified in subsection A or B above, was enrolled in its public schools, the required local expenditure per child, the handicapping condition, if applicable, the placing agency or person and the jurisdiction from which the child was sent. Each school division shall certify this information to the Board of Education by July 1 following the end of the school year in order to receive proper reimbursement. No school division shall charge tuition to any such child.

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

STUDENTS

Nonresidents P 7-14 (continued)

Assembly. The school division in which such child has been enrolled shall bill the sending agency or person for the cost of the education of such child as provided in subsection C of § [22.1-5](#).

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

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

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

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

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

Adopted by School Board: June 17, 1975
 Revised by School Board: January 6, 1981
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 Revised by School Board: March 7, 2006
 Revised by School Board: February 7, 2012

SCHOOL ADMISSION

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

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

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

Standards of Accreditation.

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

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

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

Nonresident students are not eligible to apply to attend the pre-kindergarten program, schools for innovation, the Gifted Opportunities Center, Early College Program, XLR8 (STEM) Academy, or the Central Virginia Governor's School for Science and Technology.

Nonresident students enrolled in the division at the time this regulation is approved by the Board that are attending one of the schools of innovation, the Gifted Opportunities Center, Central Virginia Governor's School for Science and Technology, Early College Program and XLR8 (STEM) Academy will be allowed to continue attending until they promote out of the program or school level.

School Admission (LCS Employees)

A parent or guardian who is a resident of the City of Lynchburg and an employee of the Lynchburg City Schools may enroll or request a transfer of their child to another school in the division. Approval of any request is discretionary and based upon the principal's recommendation and availability of space in the new school. School reassignments will be valid for a period of one year. Parent/guardian employees must reapply for consideration annually.

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

Procedure for Admission

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

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

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

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

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

Tuition Rate

~~The tuition rate is set by the Superintendent for each academic year.~~ ***{Tuition fees for nonresident students will be approved by the board each year. Additional tuition fees may be charged depending upon the program/services provided. Parents or guardians paying tuition for multiple children during the same academic year will pay on a basis of paying full tuition for the first child and half tuition for any other children who reside with the same parent/guardian. A refund for any unused tuition will be made if an enrolled nonresident student should withdraw during the school year.}***

Transportation

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

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

Adopted:

Legal Refs: 8 CFR 214.2.

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

1999 Va. Op. Atty. Gen. 105

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

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STUDENTS

Tuition Regulations R 7-14

In response to numerous questions which arise regarding families moving out of the city, following regulations will govern:

1. Tuition charges commence on the date that the family establishes residence outside of the city. When a move is discovered after the fact, tuition is due from the beginning of the school year or from the date of the move. The family must provide documentation of the date of the move.
2. If a family moves from the city and seeks to transfer custody to a person living in the city, the family is responsible for filing a copy of the court petition document in the superintendent's office. When a determination is made by the Juvenile and Domestic Relations Court, the family must file a copy of the decision in the superintendent's office. If the petition is denied the family must either pay the back tuition and remain in the city school or transfer the student to the appropriate school system.
3. If a student establishes residence in the city and does not live with a parent or legal guardian, the student or family of the student must pay tuition until the student reaches age eighteen (18).

Tuition will be charged regardless of when the move from the city is made in the school year. This is necessary because

- a. there is no logical time to cut off payments, and
- b. others are paying for each day/month and fairness dictates that all pay on the same basis.

Approved by Superintendent: August 1, 1989

{TUITION REGULATIONS

The following regulations govern when a family moves out of the city:

- 1. Tuition charges commence on the date that the family establishes residence outside of the city. When a move is discovered after the fact, tuition is due from the beginning of the school year or from the date of the move. The family must provide documentation of the date of the move.*
- 2. If a family moves from the city and seeks to transfer custody to a person living in the city, the family is responsible for filing a copy of the court petition document in the Superintendent's office. When a determination is made by the Juvenile and Domestic Relations Court, the family must file a copy of the decision in the Superintendent's office. If the petition is denied the family must either pay the back tuition and remain in the city school or transfer the student to the appropriate school system.*
- 3. If a student establishes residence in the city and does not live with a parent or legal guardian, the student or family of the student must pay tuition until the student reaches age eighteen (18).*
- ~~*4. Tuition will be charged regardless of when the move from the city is made in the school year. This is necessary because*~~
 - ~~*a. there is no logical time to cut off payments, and*~~
 - ~~*b. others are paying for each day/month and fairness dictates that all pay on the same basis.*~~

Approved by Superintendent: August 1, 1989 }

STUDENTS

Nonresidents – Employee Student Tuition Waiver P 7-14.1

Nonresident children whose parents/guardians are full-time contracted staff members of the Lynchburg City Schools may be accepted for enrollment tuition free in the Lynchburg City Schools upon authorization by the superintendent or his/her designee.

Nonresident students will be assigned to a school with the approval of the superintendent or his/her designee. If additional services are required, fees for such services will be assessed to the employee based on the cost of the required services.

Nonresident students will be admitted only on a space-available basis and contingent upon a review of the student's scholastic and discipline records. After the initial year of attendance, the parent/guardian must annually submit an Intent to Continue Enrollment form.

Nonresident students who have been suspended from their former school(s) or who have poor attendance or disciplinary records or reportable offenses may not be accepted. Nonresident students who become disciplinary problems, have attendance problems, or have reportable offenses after enrollment are subject to immediate removal from the school division.

Legal Reference

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

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

STUDENTS

Nonresidents – Employee Student Tuition Waiver (continued)

public schools of the division and may, in the discretion of the school board, be charged tuition:

1. Persons who reside within the school division but who are not of school age.
2. Persons of school age who are residents of the Commonwealth but who do not reside within the school division, except as provided in this section.
3. Persons of school age who are attending school in the school division pursuant to a foreign student exchange program approved by the school board.
4. Persons of school age who reside beyond the boundaries of the Commonwealth but near thereto in a state or the District of Columbia which grants the same privileges to residents of the Commonwealth.
5. Persons of school age who reside on a military or naval reservation located wholly or partly within the geographical boundaries of the school division and who are not domiciled residents of the Commonwealth of Virginia; however, no person of school age residing on a military or naval reservation located wholly or partly within the geographical boundaries of the school division may be charged tuition if federal funds provided under P.L. 874 of 1950, commonly known as Impact Aid, shall fund such students at not less than 50 percent of the total per capita cost of education, exclusive of capital outlay and debt service, for elementary or secondary pupils, as the case may be, of such school division.
6. Persons of school age who, as domiciled residents of the Commonwealth who were enrolled in a public school within the school division, are required as a result of military or federal orders issued to their parents to relocate and reside on federal property in another state or the District of Columbia, if the school division subsequently enrolling such persons is contiguous to such state or District of Columbia.
7. Persons of school age who reside in the school division and who are enrolled in summer programs, exclusive of required remediation as provided in § 22.1-253.13:1, or in local initiatives or programs not required by the Standards of Quality or the Standards of Accreditation.

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

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

STUDENTS

Nonresidents – Employee Student Tuition Waiver (continued)

of the school division. Tuition shall be charged such persons.

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

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

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

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

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

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

1. When the child with disabilities has been placed in foster care or other custodial care within the geographical boundaries of the school division by a Virginia agency, whether

STUDENTS

Nonresidents – Employee Student Tuition Waiver (continued)

state or local, which is authorized under the laws of this Commonwealth to place children;

2. When such child with disabilities has been placed within the geographical boundaries of the school division in an orphanage or children's home which exercises legal guardianship rights; or

3. When such child with disabilities, who is a resident of Virginia, has been placed, not solely for school purposes, in a child-caring institution or group home licensed under the provisions of Chapter 17 (§ 63.2-1700 et seq.) of Title 63.2 which is located within the geographical boundaries of the school division.

C. Each school division shall keep an accurate record of the number of days which any child, identified in subsection A or B above, was enrolled in its public schools, the required local expenditure per child, the handicapping condition, if applicable, the placing agency or person and the jurisdiction from which the child was sent. Each school division shall certify this information to the Board of Education by July 1 following the end of the school year in order to receive proper reimbursement. No school division shall charge tuition to any such child.

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

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

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

STUDENTS

Nonresidents – Employee Student Tuition Waiver (continued)

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

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

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

Adopted by School Board: April 4, 2006

{NON-RESIDENT EMPLOYEE STUDENT TUITION WAIVER

Nonresident children whose parents/guardians are full-time contracted staff members of the Lynchburg City Schools are eligible for admission tuition free in the Lynchburg City Schools upon authorization by the Superintendent or Superintendent's designee.

Nonresident students will be assigned to a school with the approval of the Superintendent or Superintendent's designee. If additional services are required, fees for such services will be assessed to the employee based on the cost of the required services.

Nonresident students will be admitted only on a space-available basis and contingent upon a review of the student's scholastic and discipline records.

~~After the initial year of attendance, the~~ The parent/guardian must annually submit an ~~Intent to Continue Enrollment~~ a Non-resident Student Application form.

Nonresident students who have been suspended from their former school(s) or who have poor attendance or disciplinary records or reportable offenses may not be accepted. Nonresident students who become disciplinary problems, have attendance problems, or have reportable offenses after enrollment are subject to immediate removal from the school division.

Nonresident children whose parents/guardians are full-time contracted employees of LCS are eligible to apply for admission to one of the schools of innovation, the Gifted Opportunities Center, Central Virginia Governor's School for Science and Technology, Early College Program and XLR8 (STEM) Academy. Acceptance into one of the programs listed above will be on a space-available basis and only after consideration has been made for students residing in the division.

Adopted by School Board: April 4, 2006

Code of Va., §§ 22.1-5, 22.1-101.1, 22.1-255}

STUDENTS

Nonresidents – Employee Student Tuition Waiver R-7-14.1

The following regulations will govern the enrollment of nonresident children who reside with a parent/guardian who is a full-time contracted staff members of Lynchburg City Schools:

1. Applicants will be considered for placement on a space available basis, based on the date the application is received.
2. Nonresident students' enrollment will be contingent upon a review of the students' scholastic and academic records.
3. The school division may not accept nonresident students who have been suspended from their former school(s) or who have poor attendance or disciplinary records or reportable offenses.
4. Nonresident students who become disciplinary problems, have attendance problems, or commit reportable offenses after enrollment will be immediately removed from the school division.
5. Children residing with a nonresident parent/guardian who is a full-time contracted staff member are not eligible to apply as Lynchburg residents to attend the pre-kindergarten program, the schools for innovation, the Gifted Opportunity Center, or the Central Virginia Governor's School for Science and Technology.
6. If the parent/guardian leaves the employ of the Lynchburg City Schools and if the child(ren) remain in the Lynchburg City Schools, the school division will begin charging tuition the day after the date of termination of employment for the remainder of the school year.
7. Nonresident parents/guardians must provide transportation to school for their nonresident children.
8. Once a student is placed in a school, that student may remain in that school until he/she completes the program as long as the student remains eligible. Parents/guardians are not required to reapply for a student who has been placed but parents/guardians must submit an Intent to Continue Enrollment form by July 1 except as noted in number nine below.
9. Nonresident parent/guardians must reapply their child(ren) at the end of grade five and at the end of grade eight for their child(ren) to attend the next level. Only one school placement per level (elementary, middle, high) will be made for each nonresident student.
10. When possible, and as space allows, consideration will be given to placing siblings at the same site.

STUDENTS

Nonresidents – Employee Student Tuition Waiver (continued)

11. Students will be placed at eligible elementary schools based on the following priority order:
 - a. Zoned students
 - b. Public School Choice students
 - c. Baby sitter hardship students
 - d. Tuition paying students
 - e. Nonresident employees' child(ren)

12. Resident full-time contracted staff members who move out of the city and who wish their children to remain in the Lynchburg City Schools must submit the Intent to Continue Enrollment form immediately or tuition will be assessed.

Adopted by School Board: April 4, 2006



**LYNCHBURG CITY SCHOOLS
 NON-RESIDENT STUDENT APPLICATION FORM**

Please complete both pages of this form. Please list only one student per form.

GENERAL INFORMATION:

- Students who have been suspended from former schools, have poor attendance or disciplinary records, or criminal charges against them may not be accepted.
- Placement in a preferred school will be on a space-available basis only. The Superintendent or his designee will make the final decision regarding the school placement.
- Tuition fees for any additional services will be calculated on the cost of required services.
- Nonresidents must provide transportation for their child.

SPECIAL NOTE FOR HIGH SCHOOL STUDENTS:

- If you are interested in participating in athletics, there are many Virginia High School League rules that regulate participation. For information, please contact the athletic director at the school to which you are requesting enrollment.

NEW STUDENTS TO LYNCHBURG CITY SCHOOLS MUST PROVIDE THE FOLLOWING INFORMATION WITH THIS APPLICATION:

- Grades
- Attendance
- Disciplinary records
- Reportable offenses

STUDENT INFORMATION	<p>Name of Student: _____</p> <p>Returning Student: _____ New Student: _____ If New, school last attended: _____</p> <p>Requesting to enroll my child in grade _____ for school year _____</p> <p><i>Pre-Kindergarten students are not eligible to use this form. Please contact the office of Student Learning & Success at 515-5047 for a separate application.</i></p> <p>Preferred School:</p> <p>1st Choice _____ 2nd Choice _____ 3rd Choice _____</p> <p>Are special education services required? _____ Yes _____ No</p> <p><i>If special education is required, additional cost may occur even if you are a Lynchburg City Schools employee.</i></p> <p>Are other special services required? _____ Yes _____ No</p>
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PARENT/GUARDIAN INFORMATION	<p>Name of Parent/Guardian: _____</p> <p>Physical Address: _____</p> <p>Mailing Address (if different from physical address): _____</p> <p>E-mail Address: _____</p> <p>Home Phone () _____ Work Phone () _____ Other () _____</p> <p>Is the parent an employee of Lynchburg City Schools? Yes No</p> <p>Place of Employment: _____</p> <p>Address of Employer: _____</p>
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Agenda Report Attachment

PREFERRED SCHEDULE OF PAYMENT

THIS SECTION MUST BE COMPLETED BY ALL NON-RESIDENT APPLICANTS.

Preferred schedule of payment for the base tuition of \$3,400.00. (Please check one)

Monthly

Nine (9) payments of \$377.78. The first payment is due the first day of school and the remaining eight payments are due the first school day of each month thereafter. Add \$188.89 to each payment for each additional child enrolled.

Quarterly

Four (4) payments of \$850.00. The first payment is due the first day of school and the remaining three payments are due December 1, February 1, and April 1. Add \$425.00 to each payment for each additional child enrolled.

Semester

Two (2) payments of \$1,700.00. The first payment is due the first day of school and the second payment is due the first day of the second semester. Add \$850.00 to each payment for each additional child enrolled.

Yearly

One (1) payment of \$3,400.00. Full payment is due the first day of school. Add \$1,700.00 for each additional child enrolled.

None

I am a non-resident full-time contracted employee of the Lynchburg City Schools and the child for whom I am applying resides with me.

Financial and Eligibility Agreement

1. I understand that I am financially responsible for all applicable tuition fees as well as fees for any special services for my son or daughter to attend Lynchburg City Schools and that no statement or invoice will be sent. I am responsible for making my payments when they are due. If my account is in arrears, my child may not be allowed to attend classes. I may not be notified in advance.
2. Should Lynchburg City Schools incur any expense in the collection of past due fees, I will be responsible for any legal or collection fees incurred. I certify that my son or daughter does qualify for enrollment, and I agree to abide by provisions of the tuition fee plan.
3. If my child has poor attendance, accumulates a disciplinary record, or has criminal charges brought against him/her during this school year, he/she could be removed from Lynchburg City Schools.

Signature: _____ Date: _____
 Parent/Guardian

**Return to: Department of Finance
 Lynchburg City Schools
 P. O. Box 2497
 Lynchburg, Virginia 24505-2497**

SCHOOL USE ONLY

Application Approved: _____ Date: _____

Application Disapproved: _____ Date: _____

Application of Nonresident Full-time Contracted Staff: _____

Signature—Superintendent or Designee: _____

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{NON-RESIDENT – EMPLOYEE STUDENT TUITION WAIVER

The following regulations will govern the enrollment of nonresident children who reside with a parent/guardian who is a full-time contracted staff members of Lynchburg City Schools:

- 1. Applicants will be considered for placement on a space available basis, based on the date the application is received.*
- 2. Nonresident students' enrollment will be contingent upon a review of the students' scholastic and academic records.*
- 3. The school division may not accept nonresident students who have been suspended from their former school(s) or who have poor attendance or disciplinary records or reportable offenses.*
- 4. Nonresident students who become disciplinary problems, have attendance problems, or commit reportable offenses after enrollment will be immediately removed from the school division.*
- ~~5. Children residing with a nonresident parent/guardian who is a full-time contracted staff member are not eligible to apply as Lynchburg residents to attend the pre-kindergarten program, the schools for innovation, the Gifted Opportunity Center, or the Central Virginia Governor's School for Science and Technology.~~*
- 65. If the parent/guardian leaves the employ of the Lynchburg City Schools and if the child (ren) remain in the Lynchburg City Schools, the school division will begin charging tuition the day after the date of termination of employment for the remainder of the school year.*
- 76. Nonresident parents/guardians must provide transportation to school for their nonresident children.*
- 87. Once a student is placed in a school, that student may remain in that school until he/she completes the program as long as the student remains eligible. Parents/guardians are not required to reapply for a student who has been placed but parents/guardians must submit an Intent to Continue Enrollment {a Non-resident Student Enrollment} form by July 1 except as noted in number nine below.*
- 98. Nonresident parent/guardians must reapply their child(ren) at the end of grade five and at the end of grade eight for their child(ren) to attend the next level. Only one school placement per level (elementary, middle, high) will be made for each nonresident student.*
- 109. When possible, and as space allows, consideration will be given to placing siblings at the same site.*

110. Students will be placed at eligible elementary schools based on the following priority order:

- a. Zoned students*
- b. Public School Choice students*
- c. Elementary School Reassignment (Babysitter hardship)*
- d. Nonresident employees' child(ren)*
- e. Tuition paying students*

112. Resident full-time contracted staff members who move out of the city and who wish their children to remain in the Lynchburg City Schools must submit the Non-resident Student Application form immediately or tuition will be assessed.

Adopted by School Board: April 4, 2006



**LYNCHBURG CITY SCHOOLS
 NON-RESIDENT STUDENT APPLICATION FORM**

Please complete both pages of this form. Please list only one student per form.

GENERAL INFORMATION:

- Students who have been suspended from former schools, have poor attendance or disciplinary records, or criminal charges against them may not be accepted.
- Placement in a preferred school will be on a space-available basis only. The Superintendent or his designee will make the final decision regarding the school placement.
- Tuition fees for any additional services will be calculated on the cost of required services.
- Nonresidents must provide transportation for their child.

SPECIAL NOTE FOR HIGH SCHOOL STUDENTS:

- If you are interested in participating in athletics, there are many Virginia High School League rules that regulate participation. For information, please contact the athletic director at the school to which you are requesting enrollment.

NEW STUDENTS TO LYNCHBURG CITY SCHOOLS MUST PROVIDE THE FOLLOWING INFORMATION WITH THIS APPLICATION:

- Grades
- Attendance
- Disciplinary records
- Reportable offenses

STUDENT INFORMATION	<p>Name of Student: _____</p> <p>Returning Student: _____ New Student: _____ If New, school last attended: _____</p> <p>Requesting to enroll my child in grade _____ for school year _____</p> <p><i>Pre-Kindergarten students are not eligible to use this form. Please contact the office of Student Learning & Success at 515-5047 for a separate application.</i></p> <p>Preferred School:</p> <p>1st Choice _____ 2nd Choice _____ 3rd Choice _____</p> <p>Are special education services required? _____ Yes _____ No</p> <p><i>If special education is required, additional cost may occur even if you are a Lynchburg City Schools employee.</i></p> <p>Are other special services required? _____ Yes _____ No</p>
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PARENT/GUARDIAN INFORMATION	<p>Name of Parent/Guardian: _____</p> <p>Physical Address: _____</p> <p>Mailing Address (if different from physical address): _____</p> <p>E-mail Address: _____</p> <p>Home Phone () _____ Work Phone () _____ Other () _____</p> <p>Is the parent an employee of Lynchburg City Schools? Yes No</p> <p>Place of Employment: _____</p> <p>Address of Employer: _____</p>
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Agenda Report Attachment

PREFERRED SCHEDULE OF PAYMENT

THIS SECTION MUST BE COMPLETED BY ALL NON-RESIDENT APPLICANTS.

Preferred schedule of payment for the base tuition of \$3,400.00. (Please check one)

Monthly

Nine (9) payments of \$377.78. The first payment is due the first day of school and the remaining eight payments are due the first school day of each month thereafter. Add \$188.89 to each payment for each additional child enrolled.

Quarterly

Four (4) payments of \$850.00. The first payment is due the first day of school and the remaining three payments are due December 1, February 1, and April 1. Add \$425.00 to each payment for each additional child enrolled.

Semester

Two (2) payments of \$1,700.00. The first payment is due the first day of school and the second payment is due the first day of the second semester. Add \$850.00 to each payment for each additional child enrolled.

Yearly

One (1) payment of \$3,400.00. Full payment is due the first day of school. Add \$1,700.00 for each additional child enrolled.

None

I am a non-resident full-time contracted employee of the Lynchburg City Schools and the child for whom I am applying resides with me.

Financial and Eligibility Agreement

1. I understand that I am financially responsible for all applicable tuition fees as well as fees for any special services for my son or daughter to attend Lynchburg City Schools and that no statement or invoice will be sent. I am responsible for making my payments when they are due. If my account is in arrears, my child may not be allowed to attend classes. I may not be notified in advance.
2. Should Lynchburg City Schools incur any expense in the collection of past due fees, I will be responsible for any legal or collection fees incurred. I certify that my son or daughter does qualify for enrollment, and I agree to abide by provisions of the tuition fee plan.
3. If my child has poor attendance, accumulates a disciplinary record, or has criminal charges brought against him/her during this school year, he/she could be removed from Lynchburg City Schools.

Signature: _____ Date: _____
 Parent/Guardian

**Return to: Department of Finance
 Lynchburg City Schools
 P. O. Box 2497
 Lynchburg, Virginia 24505-2497**

SCHOOL USE ONLY

Application Approved: _____ Date: _____

Application Disapproved: _____ Date: _____

Application of Nonresident Full-time Contracted Staff: _____

Signature—Superintendent or Designee: _____

Agenda Report

Date: 04/19/16

Agenda Number: G-2

Attachments: No

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

Subject: 2016-17 School Calendar: Proposed Updates

Summary/Description:

On March 17, 2015, the school board approved the school calendars for the school division and Williams Marvin Bass Elementary School for 2015-16 and 2016-17. After implementing the 2015-2016 school division calendar, surveys were administered to staff and parents. Based on that feedback, three updates to the 2016-17 calendar are recommended. Those updates are as follows:

- Intersession attendance days will be adjusted to occur on Monday through Wednesday. By moving the attendance days to the beginning of the break, students and staff will not have to adjust to coming back to school for Intersession after having multiple days off from school.
- Early release days will be moved so that they are adjacent to other breaks in the calendar. By doing so, this will alleviate the “choppy” feeling to the calendar and provide longer breaks for students.
- The dates for winter break will be modified from December 21, 2016 – January 3, 2017, to December 19, 2016 – December 30, 2016. This will provide two full weeks off for students and staff.

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

Recommendation:

The superintendent recommends that the school board approve changes to the school calendar for 2016-17.

Agenda Report

Date: 04/19/16

Agenda Number: H-1

Attachments: Yes

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

Subject: Policy KFB Surveys

Summary/Description:

The process of converting the Lynchburg City Schools' (LCS) policies to the Virginia School Board Association (VSBA) format is ongoing process which has involved the conversion of entire sections of the LCS policy manual at a time. Periodically, updates to a VSBA policy are received that need to be immediately adopted as a LCS policy. Rather than delay until the entire section is converted, individual policies will be brought to the Board for conversion.

VSBA Policy KFB – Surveys will be presented to the school board for discussion this evening.

Disposition: Action
 Information
 Action at Meeting on: 05/03/16

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on May 3, 2016.

ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

I. 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 Policy KBA Requests for Information.

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

- (1) political affiliations or beliefs of the student or the student's parent,
- (2) mental or psychological problems of the student or the student's family,
- (3) sex behavior or attitudes,
- (4) illegal, anti-social, self-incriminating, or demeaning behavior,
- (5) critical appraisals of other individuals with whom respondents have close family relationships,
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
- (7) religious practices, affiliations, or beliefs of the student or student's parent, or
- (8) 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 unemancipated minor, without the prior written consent of the parent.

C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the School Board deems to be sensitive in nature is to be administered, the School Board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the School Board with all

information required to be included in the notice to parents. The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall not disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

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 Policy KBA Requests for Information.

In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered will be protected. **Participating students complete the survey on-line at their school's computer labs. Survey administration standards and procedures were established, and administration standards were designed to protect the confidentiality of participants and the quality of the data collected**

II. Physical Examinations and Screenings

If the Lynchburg City School Division administers any physical examinations or screenings other than

- those required by Virginia law, and
- surveys administered to a student in accordance with the Individuals with Disabilities Education Act,

policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. 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:

- college or other postsecondary education recruitment, or military recruitment;

- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;
- 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;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

IV. Notification

Notification of Policies

The 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 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 containing one or more items listed in subsection I.B. above; 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.

Notification of Specific Events

The 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 containing one or more items listed in subsection I.B. above; 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.

V. Definitions

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.

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.

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).

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.

Survey: the term "survey" includes an evaluation.

Adopted:

Legal Refs.: 20 U.S.C. § 1232h.
 Code of Virginia, 1950, as amended, § 22.1-79.3.

Cross Refs.: JHDA Human Research
 KBA Requests for Information
 KF Distribution of Information/Materials

Agenda Report

Date: 4/19/16

Agenda Number: H-2

Attachments: Yes

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

Subject: Special Education Annual Plan/Part B, Section 611, Flow-through Application and Section 619 Preschool Grant Applications: 2016-17

Summary/Description:

The Annual Special Education Plan is a formal agreement between the local school board and the Virginia Board of Education for the implementation of state and federal laws and regulations related to services mandated for students with disabilities. Accordingly, the disbursement of funds to the school division is contingent upon school board approval of the plan.

Lynchburg City Schools will apply for \$2,128,366.00 in special education Flow-through Funds for the 2016-2017 school year. The application for funds for the 2016-2017 school years must be approved by the school board and submitted to the Virginia Department of Education for plan approval and financial reimbursement. A total amount of \$1,956,142.94 of this funding will be used to provide salaries for Special Education staff, and \$172,223.06 of the 611 Flow-through funds will be used to provide special education and speech therapy services to parentally-placed students with disabilities attending local private schools or are homeschooled.

The Lynchburg City Schools will also apply for \$58,508.00 in Section 619 Preschool Funds for the 2016-2017 school year. This funding will be used to support Hutcherson Early Learning Program as they provide special education and related services to preschool children (ages 2-5) who have been determined eligible for special education services. Funds provide inclusion support through special education placements in local private preschools, staff development, and instructional materials.

Disposition: Action
 Information
 Action at Meeting on: 05/03/16

Recommendation:

The superintendent recommends that the school board receive this agenda report as an informational item and consider action at the school board meeting on May 3, 2016.

VIRGINIA DEPARTMENT OF EDUCATION
DIVISION OF SPECIAL EDUCATION AND STUDENT SERVICES

Local Special Education Annual Plan/Part B Flow-Through Application and Report
2016-2017

Division and Contact Information - to be Completed by School Division

Division Applicant Name (Legal Name of Agency) LEA Questions regarding this plan should be directed to:
LYNCHBURG CITY PUBLIC SCHOOLS Number 115 Wyllys D. VanDerwerker
Mailing Address (Street, City or Town, Zip Code) DUNS 120708805
P.O. Box 2497, 915 Court Street, Lynchburg, VA 24505

Phone (ext): (434) 515-5030 Fax: (434) 522-3774
Numbers Only Ext. Numbers Only

Region: 5 E-mail: vanderwerkerwd@lcsedu.net

SUPERINTENDENT'S CERTIFICATION

For the purpose of implementing the provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), I certify that throughout the period of the 2016-2017 grant award, this School Division will comply with the requirements outlined in each of the following:

- (1) Part B of IDEA, including the eligibility requirements of Section 613;
(2) The IDEA federal implementing regulations, dated October 13, 2006, and revised April 9, 2007, and December 31, 2008, at 34 C.F.R. Part 300 et seq.; and
(3) Virginia's "Regulations Governing Special Education Programs for Children with Disabilities in Virginia," at 8 VAC 20-81 et seq., effective January 25, 2010, and any revisions.

I certify that this school division has developed local policies and procedures for the provision of special education and related services, which are kept current, and which ensure compliance with the requirements of, and any revisions to the IDEA, its federal implementing regulations, and the Virginia Board of Education's regulations.

I certify that all students, including those who may be placed in regional programs by this agency, are afforded all assurances as delineated in this document.

Finally, I certify that this Annual Plan/Flow-Through Application for Part B Funds under the provisions of IDEA, was approved by the School Board on _____ Date

Division Superintendent (Signature)

Date

Typed Name

ANNUAL PLAN/PART B FLOW-THROUGH APPLICATION POLICY STATEMENTS
(continued on next page)

This LEA assures that it has in effect policies, procedures, and programs which have been established and administered to comply with the IDEA, and its federal implementing regulations, including 34 CFR §§ 300.201-300.213, and which are consistent with the policies and procedures that VDOE has established in accordance with IDEA, and its federal implementing regulations, including 34 CFR §§ 300.101–300.163, and 300.165–300.174, to ensure each of the following:

- A free appropriate public education will be available for each child with disabilities, ages two to 21, inclusive.
- All children, ages two to 21, inclusive, residing in the LEA who have disabilities and need special education and related services, who have not been parentally-placed in a private or home school, are identified, located, evaluated, and placed in an appropriate educational program.
- An individualized education program (IEP) will be maintained for each child with a disability, as required.
- To the maximum extent appropriate, children with disabilities will be educated with children who are nondisabled in the Least Restrictive Environment.
- Children with disabilities and their parents or guardians are guaranteed procedural safeguards in the process of identification, evaluation, educational placement, or the provision of a free appropriate public education, including the right to access dispute resolution options.
- Surrogate parents will be appointed, when appropriate, to act as advocates to serve the education interest of children, ages two to 21, inclusive, who are suspected of being or are determined to be disabled.
- Testing and evaluative materials used for the purpose of classifying and placing children with disabilities are selected and administered so as not to be racially or culturally discriminatory.
- The confidentiality of personally identifiable information, that is collected, maintained, or used under IDEA, shall be protected.
- Children with disabilities, who are participating in Part C early intervention programs, and who will be participating in Part B preschool programs, will experience a smooth and effective transition between the programs.
- All children, ages two to 21, inclusive, who have disabilities and need special education and related services, and who are parentally-placed in a private school or home school, that is located within the geographic boundaries of the LEA, are identified, located, evaluated and provided services, in accordance with the results of a timely and meaningful consultation process.
- Homeless children with disabilities will be served in accordance with the requirements of the McKinney-Vento Homeless Assistance Act.
- Special education and related service personnel, including paraprofessionals, are appropriately and adequately prepared and trained, and measurable steps will be taken to recruit, hire, train, and retain highly qualified personnel to provide special education and related services to children with disabilities.
- Valid and reliable data is submitted to the VDOE, as requested, including data regarding the performance goals and indicators established by the VDOE to determine the progress of children with disabilities, and the performance of the LEA toward targets outlined in Virginia's State Performance Plan.
- Policies and procedures will be in effect that are designed to prevent the inappropriate overidentification, underidentification, or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment.

ANNUAL PLAN/FLOW-THROUGH APPLICATION POLICY STATEMENTS
(continued on next page)

- Children with disabilities are not required to obtain prescription medication as a condition of attending school, receiving an evaluation, or receiving special education and related services.
- Children with disabilities are given the right to participate in the state assessment system.
- There will be ongoing parent consultation.
- Funding will be used to develop and implement coordinated early intervening educational services, as required.
- Children with disabilities who attend charter schools are provided services in the same manner as other children with disabilities who attend public schools.
- Instructional materials will be provided to children with a visual impairment or other print disabilities in a timely manner.
- Efforts will be made to cooperate with the United States Department of Education (USED) to ensure the linkage of records pertaining to migratory children with disabilities.
- All documents relating to the LEA's eligibility under IDEA will be made available to the public.

SUBMISSION STATEMENT (continued on next page)

Under the provisions of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), and its federal implementing regulations, at 34 C.F.R. Part 300 et seq., a local educational agency, that desires to receive funds under the Act, must provide the following assurances:

1. The local educational agency shall be responsible for (1) the control of funds provided under Part B of the Act; (2) title to property acquired with those funds; and (3) the local educational agency will administer such funds and property.
2. The local educational agency shall maintain records that show that where Part B funds are used to supplement existing services or to provide additional services to meet special needs, those services shall be at least comparable to services provided to other children with disabilities in the local educational agency with state and local funds.
3. The local educational agency application and all pertinent documents related to such application, including all evaluations and reports relative to the application, shall be made available for public inspection.
4. The local educational agency shall maintain records showing that Part B funds are used to supplement and, to the extent practicable, increase the level of state and local funds expended for the education of children with disabilities. Part B funds shall, in no case, be used to supplant local and state funds.
5. The funds provided under Part B of the Act shall be used to employ only those professional personnel who meet appropriate State standards. In addition, all other professional personnel employed, such as therapists, etc., shall be properly licensed.
6. The Virginia Department of Education assumes rights to all materials and/or products developed in this project, including equipment purchased with Part B funds.
7. No person shall, on the grounds of race, color, national origin, sex, disabling condition or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received financial assistance under the provisions of the Act.
8. The local educational agency shall provide students enrolled in private schools an opportunity to participate in programs funded through Part B of IDEA.
9. The local educational agency will ensure that projects involving construction, are consistent with overall State plans for the construction of school facilities. In developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed under Section 504 of the Rehabilitation Act of 1973 and subsequent amendments in order to ensure that facilities constructed with the use of Federal funds are accessible to, and usable by, individuals with disabilities.
10. The local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in Part B programs significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.
11. The local educational agency will ensure that none of the funds expended under Part B programs will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.
12. Except when used to provide coordinated early intervening services, the local educational agency will ensure that funds expended under Part B of IDEA will only be used for the costs which are directly attributable to the education of children with disabilities, and which exceed the average annual per student expenditure during the preceding year as computed in accordance with 34 C.F.R. § 300.202, Appendix A of the IDEA federal implementing regulations, and as documented using the new Web-based application.

SUBMISSION STATEMENT (continued from previous page)

13. The local educational agency will ensure that funds expended under Part B of IDEA will not be used to reduce the level of expenditures made from local funds below the amount expended for the education of children with disabilities from state or local funds during the preceding fiscal year, in accordance with 34 C.F.R. §§ 300.203 to 300.205 of the IDEA federal implementing regulations, and as documented using the new Web-based application.
14. The school division will ensure that, in accordance with 34 C.F.R. § 300.133, and Appendix B of the IDEA federal implementing regulations, during the grant award period, a proportionate share of the school division's Section 611 subgrant will be set aside to be expended for children with disabilities, ages 3 through 21, who are parentally-placed in a private school within the school division, and a proportionate share of its Section 619 subgrant will be set aside to be expended for children with disabilities, ages 3 through 5, who are parentally-placed in a private school within the school division. This school division further assures that if it has not expended for equitable services all of its set-aside funds by the end of the fiscal year for which it was appropriated, the school division will obligate any remaining funds for one additional year to provide special education and related services to children with disabilities who are parentally placed in a private school within the school division. Actual proportionate set-aside amounts will be submitted using the new Web-based application.
15. The local educational agency shall maintain records demonstrating compliance with the provisions of IDEA and its federal implementing regulations, including each of the assurances outlined above, and afford the Virginia Department of Education access to those records that it may find necessary to ensure the correctness and verification of the information required under this Act.
16. The local educational agency certifies this application as a material representation of its compliance with the following provisions of Education Department General Administrative Regulations (EDGAR), as applicable: 34 CFR Part 82 § 82.110—New Restrictions on Lobbying; 34 CFR Part 85 § 85.105 and § 85.110—Governmentwide Debarment and Suspension (Nonprocurement); and 34 CFR Part 84 §§ 84.200 through 84.230, and 84.300 – “Governmentwide Requirements for Drug-Free Workplace” (Grants).

**IDENTIFICATION OF BARRIERS AND DESCRIPTIONS OF
STEPS TO OVERCOME THEM IN ACCORDANCE
WITH PROVISIONS IN SECTION 427 OF
THE GENERAL EDUCATION PROVISIONS ACT**

Applicants for federal assistance are required under Section 427 of Title II, the General Education Provisions Act (GEPA), enacted as a part of the *No Child Left Behind Act of 2001* amendments to the *Elementary and Secondary Education Act of 1965*, to address equity concerns that may affect full participation of potential program beneficiaries (teachers, students or parents) in designing their federally-assisted projects. Section 427 requires identification of barriers to full participation, if any, and a description of steps taken, or that will be taken to overcome them. The legislation highlights six characteristics that describe broad categories of persons or groups that may more frequently encounter barriers to participation. The characteristics are: Gender, Race, National Origin, Color, Disability, and Age.

Choose One:

Division has no barriers

Division has barriers (Please provide explanation in the space provided)

<p>OTHER FACTORS THAT MIGHT LIMIT PARTICIPATION</p>	
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2016-2017 SPECIAL EDUCATION IN LOCAL AND REGIONAL JAILS

Each local school division with a regional or local jail in its jurisdiction shall establish an interagency agreement with the sheriff or jail administrator responsible for the operation of the jail. The interagency agreement shall address staffing and security issues associated with the provision of special education and related services in the jail. It is suggested that you review your agreement annually.

Interagency Agreement

Name of Local or Regional Jail:
Blue Ridge Regional Jail Authority

1. Is there a local or regional jail located within the geographic boundaries of your school division?

Yes

Please complete question 2

2. Has the interagency agreement between your school division and the jail been revised since the submission of your most recent annual plan?

No

Your existing Interagency Agreement will remain in effect until revisions are made, you do not need to submit it

[Instructions for Using drop box](#)

**REPORT ON IMPLEMENTATION
OF THE 2014-2015 ANNUAL PLAN**

Submit a report indicating the extent to which the annual plan for the 2014-2015 school year has been implemented (*Code of Virginia*, Section 22.1-215). (Maximum capacity of each text box is 975 characters.)

The Special Education Annual Plan was implemented as planned. Staff development activities were provided to support the school division's work on the Special Education State Performance Plan Indicators. Special Education and speech therapy services were provided to students with federal set aside service plans attending local private schools or homeschooled. Special Education services were provided by special education teachers as per student specific Individualized Education Plans.

School Division: LYNCHBURG CITY PUBLIC SCHOOLS

Division Number:

115

Maintenance of Effort

The Virginia Department of Education (VDOE) is required by federal regulation to ensure all school divisions in Virginia comply with §300.203 of the Individuals with Disabilities Education Act (IDEA), which mandates that school divisions meet a maintenance of effort (MOE) obligation. This regulation requires school divisions to spend at least the same amount from at least one of the following sources: (i) local funds; (ii) state plus local funds; (iii) local per capita; or (iv) state plus local per capita for a current school year on the delivery of special education and related services, as were spent for the most recent fiscal year (i.e.g, 2014 - 2015) for which the information is available, subject to the Subsequent Years rule.

34 CFR §300.203(a) requires that in order for an LEA to be eligible for an IDEA Part B subgrant for the upcoming fiscal year, the LEA must budget, in each subsequent year, at least the same amount that it actually spent for the education of children with disabilities in the most recent fiscal year for which information is available, subject to the Subsequent Years rule. When establishing eligibility, an LEA is **not** required to use the same method it used to meet compliance standard in the most recent fiscal year for which the information is available. An LEA can change methods to establish eligibility from one year to the next, as long as the division uses the same method for calculating the amount it spent in the comparison year for which it is establishing eligibility.

Provide the total local and the total state plus local expenditure budget and per capita amount for the school division's total special education program for the years designated below. The projected/estimated expenditure budget amounts provided must be reviewed and confirmed by the division's fiscal's office.

Local		Local plus State	
	School Year 2016-2017 (estimated/projected)		School Year 2016-2017 (estimated/projected)
Dollar \$	TBD	Dollar \$	TBD
	School Year 2016-2017 (estimated/projected)		School Year 2016-2017 (estimated/projected)
Per Capita	TBD	Per Capita	TBD

If an LEA determines that the budget above did not meet the eligibility standard in any of the four methods for which the information is available, an LEA is allowed to consider Exceptions under §300.204 and Adjustments to MOE under §300.205 to the extent the information is available. These exceptions and adjustments must also be taken in the intervening year (i.e., SY2015-2016) and that the LEA reasonably expect to take these exceptions and adjustments in the year it is budgeting (i.e., SY2016-2017). Please describe which allowable exceptions will be used and provide the corresponding dollar amount. For additional guidance, refer to:

http://www.doe.virginia.gov/special_ed/grants_funding/index.shtml

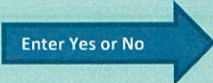
NOTE: The Dec. 1, 2015 Child Count totals should be used to compute the per capita amounts. The Child Count should be adjusted to exclude students funded through CSA. The Division must budget the same or higher amounts to meet the MOE eligibility requirements using either dollar or per capita amounts.

Agenda Report Attachment

2016-2017 SPECIAL EDUCATION CEIS AND PROPORTIONATE SET ASIDE

Each local school division shall ensure Coordinated Early Intervening Services and Proportionate Set-aside requirements have been addressed.

Is your school division required to set aside 15% or voluntarily setting aside Part B funds for Coordinated Early Intervening Services?

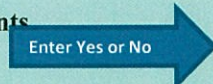


NO

If yes, provide narrative of how funds will be used. An information packet requesting additional information will be sent at a later time

[Empty text box for narrative]

Is your school division required to set aside funds for parentally-placed students in private schools or students identified during child find?



Yes

If no, explain why the division is not required and if yes, explain how funds will be used. The actual budget will be determined when the division submits its data in the Proportionate Set-Aside (speced-PSA) application.

Lynchburg City Schools conducts an annual count of parent-placed students with disabilities attending local private schools, including homeschooled. The count is reported to the VDOE and a calculation is performed to determine the Federal Set-Aside portion of the Federal funds that must be "set-aside" for the identified population. After conducting the VDOE required "meaningful consultation" with local private schools and parents of students with disabilities who are homeschooled, LCS will provide special education instruction and speech therapy to students with federal set aside plans for the 2016-17 school year. Services will be limited to the designated set-aside dollars.

EXPENDITURE ACCOUNTS	OBJECT CODE	Section 611		Section 619	
		(D) CEIS	(E) Proportionate Set-Aside	(D) CEIS	(E) Proportionate Set-Aside
Personal Services	1000		125,743.15		
Employee Benefits	2000		44,126.06		
Purchased Services	3000		2,353.85		
Internal Services	4000				
Other Services	5000				
Materials / Supplies	6000				
Capital Outlay	8000				
TOTAL PROPOSED BUDGET		0.00	172,223.06	0.00	0.00

For additional instructions for completing this section of the Annual Plan/Part B Flow-Through Application, please review Section F of the "LEA Instructions" tab.

VIRGINIA DEPARTMENT OF EDUCATION
PART B, SECTION 611 (Flow-Through Funds)
GRANT PERIOD: JULY 1, 2016 – SEPTEMBER 30, 2018
Joint Applications Only!

For joint applications, please select the Fiscal Agent below, and provide the requested contact information.

If this is not a joint application move directly to the next section below.

Fiscal Agent:		LEA Code:
Joint Application Project Director:	N/A	
Mailing Address of Project Director:		
Phone:		
E-mail:		

If this is a joint application and allocations are to be combined into a single award issued to the fiscal agent designated above, list participating LEAs and the amounts to be combined into a single award. Note: All participating agencies must still complete the remainder of this tab.

Participating Agency Name	Code Number	Amount Released
Total Amount to be issued to Fiscal Agent:		\$0.00

In narrative format, please provide a description and budget outline of all personnel (i.e., teachers, instructional assistants, administrators, clerical, support personnel, and others) to be supported in whole or in part with IDEA, Part B, Section 611 grant funds (with proposed amounts and FTEs).

Lynchburg City Schools plans to use 611 funds as follows: Salaries for (30 FTE) special education teachers, and (6 FTE) special education instructional assistants who will provide special education services to LCS enrolled students with disabilities. Federal Set Aside services will be provided by: (1) full time Speech Pathologist and 1.5 FTE Special Education teachers. Note to Virginia Department of Education: Lynchburg City Schools has budgeted funding under proportionate set-aside funds for the purpose of providing speech therapy and/or special education services to parents placed students with disabilities attending local private schools or are homeschooled. LCS is not required to set aside 15% of our 611 flow through funding for Coordinated Early Intervening Services. LCS is not voluntarily setting aside funds for Coordinated Early Intervening Services.

In narrative format, please provide a detailed description and budget outline of all additional activities, goods and services to be supported with IDEA, Part B, Section 611 grant funds.

\$1,956,142.94 in IDEA, Part B, Section 611 funds will be used for special education salaries/fringe benefits. \$172,223.06 in federal set aside funds will be used for speech therapy and special education services provided to parentally placed students enrolled in local private schools or homeschooled.

**Virginia Department of Education
SPECIAL EDUCATION FEDERAL PROGRAM
PROPOSED GRANT BUDGET**

Part B, Section 611, Flow-Through Funds (July 1, 2016-September 30, 2018)

Complete column C, by allocating PROPOSED grant funds to object code categories 1000 through 8000. A description of the object code categories is available on the VDOE's Web site. See the instruction tab for the Web address. In determining appropriate assignment of items to object codes, applicants are strongly encouraged to consult with the individual(s) within the LEA who have responsibility for completing the Annual School Report – Financial Section.

List all equipment items costing five thousand dollars (\$5,000) or more and also list inventory items costing less than \$5,000 that will be tracked, including I-pads, computers, cameras, etc., to be purchased with grant funds, and provide information on proposed out-of-state/country travel to be supported with grant funds.

(A) EXPENDITURE ACCOUNTS	(B) OBJECT CODE	(C) Budget	(D) CEIS	(E) Proportionate Set-aside	(F) Total Budget
Personal Services	1000	1,486,065.77	0.00	125,743.15	1,611,808.92
Employee Benefits	2000	470,077.17	0.00	44,126.06	514,203.23
Purchased Services	3000		0.00	2,353.85	2,353.85
Internal Services	4000		0.00	0.00	0.00
Other Services	5000		0.00	0.00	0.00
Materials / Supplies	6000		0.00	0.00	0.00
Capital Outlay	8000		0.00	0.00	0.00
TOTAL PROPOSED BUDGET		1,956,142.94	0.00	172,223.06	2,128,366.00

Proposed Equipment: List items costing \$5,000 or more. Also list inventory items costing less than \$5,000 that will be tracked, including I-pads, computers, cameras, etc.

Proposed Out-of State/Country Travel (destination, purpose, estimated cost, number of people):

For additional instructions for completing this section of the Annual Plan/Part B Flow-Through Application, please review Section F of the "LEA Instructions" tab.

**VIRGINIA DEPARTMENT OF EDUCATION
PROPOSAL SUMMARY
PART B, SECTION 619 (EARLY CHILDHOOD SPECIAL EDUCATION GRANT)
GRANT PERIOD: JULY 1, 2016 – SEPTEMBER 30, 2018**

ECSE Contact Person:	N/A
Title:	
Mailing Address:	
Phone:	
E-mail:	

Joint Applications Only!

For joint applications, please select the Fiscal Agent below, and provide the requested contact information.

If this is not a joint application move directly to the next section below.

Fiscal Agent:		LEA Code:
Joint Application Project		
Director:		
Mailing Address of Project		
Director:		
Phone:		
E-mail:		

If this is a joint application and allocations are to be combined into a single award issued to the fiscal agent designated above, list participating LEAs and the amounts to be combined into a single award. Note: All participating agencies must still complete the remainder of this tab.

Participating Agency Name	Code Number	Amount Released
Total Amount to be issued to Fiscal Agent:		\$0.00

**PART B, SECTION 619 (EARLY CHILDHOOD SPECIAL EDUCATION GRANT)
GRANT PERIOD: JULY 1, 2016 – SEPTEMBER 30, 2018**

In narrative format, please provide a description and budget outline of all personnel (i.e., teachers, instructional assistants, administrators, clerical, support personnel, and others) to be supported in whole or in part with IDEA, Part B, Section 619 grant funds (with proposed budget amounts and FTEs).

Summer Child Find/Curriculum Development with the associated FICA benefits comprise the first expenditure account on the budget table. In object code 1000, the total amount for staff salaries to cover Child Find/Curriculum Development is \$2,500.00. \$191.00 in object code 2000 will be used for FICA benefits. \$50,000.00 in object code 3000 / purchased services will be used to serve preschoolers in regular education settings as the foundation for the provision of special education services in age appropriate inclusive settings. This practice is encouraged by the Virginia Department of Education. In object code 5000, \$2,500.00 in other services reflects the expenses for staff development and travel associated with training opportunities. In object code 6000, \$3,317.00 in materials will be used to purchase the instructional items needed to provide the supports and special education services for young children with disabilities.

In narrative format, please provide a detailed description and budget outline of all additional activities, goods and services to be supported with IDEA, Part B, Section 619 grant funds.

**Virginia Department of Education
PART B, SECTION 619 (EARLY CHILDHOOD SPECIAL EDUCATION GRANT) APPLICATION
PROPOSED GRANT BUDGET**

Part B, Section 619, Preschool Funds (July 1, 2016-September 30, 2018)

Complete column C, by allocating PROPOSED grant funds to object code categories 1000 through 8000. A description of the object code categories is available on the VDOE's Web site. See the instruction tab for the Web address. In determining appropriate assignment of items to object codes, applicants are strongly encouraged to consult with the individual(s) within the LEA who have responsibility for completing the Annual School Report – Financial Section.

List all equipment items costing five thousand dollars (\$5,000) or more, and also list inventory items costing less than \$5,000 that will be tracked, including I-pads, computers, cameras, etc., to be purchased with grant funds, and provide information on proposed out-of-state/country travel to be supported with grant funds.

(A) EXPENDITURE ACCOUNTS	(B) OBJECT CODE	(C) Budget	(D) CEIS	(E) Proportionate Set-aside	(F) Total Budget
Personal Services	1000	2,500.00	0.00	0.00	2,500.00
Employee Benefits	2000	191.00	0.00	0.00	191.00
Purchased Services	3000	50,000.00	0.00	0.00	50,000.00
Internal Services	4000		0.00	0.00	0.00
Other Services	5000	2,500.00	0.00	0.00	2,500.00
Materials / Supplies	6000	3,317.00	0.00	0.00	3,317.00
Capital Outlay	8000		0.00	0.00	0.00
TOTAL PROPOSED BUDGET		58,508.00	0.00	0.00	58,508.00

Proposed Equipment: List items costing \$5,000 or more. Also list inventory items costing less than \$5,000 that will be tracked, including I-pads, computers, cameras, etc.

Proposed Out-of State/Country Travel (destination, purpose, estimated cost, number of people):

Agenda Report

Date: 04/19/16

Agenda Number: H-3

Attachments: No

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

Subject: Request for Reallocation of Budget

Summary/Description:

The school administration has recognized a need to reallocate funds to various salary and operating accounts throughout the school division. Funds to:

- fund local share of E-Rate grand and to purchase of E-Rate IT equipment \$ 300,000
- repair of chiller at Paul Munro \$ 275,000
- purchase of bus lift for bus shop \$ 150,000
- purchase of mobile buildings for FHCS \$ 84,000
- purchase replacement grounds truck \$ 60,000
- purchase of cleaning supplies for the summer \$ 60,000
- purchase of aerial articulating boom lift \$ 50,000
- purchase of computer cart for Heritage Elementary School \$ 30,000
- purchase of fork lift for Maintenance Department \$ 30,000
- purchase of custodial cleaning equipment \$ 30,000
- purchase of folding chairs and tables \$ 25,000
- install sound attenuation between auditorium and music room at T.C. Miller Elementary School \$ 20,000
- install sound attenuation of aux gym at E.C. Glass High School \$ 20,000
- repair 4 entrance roofs at E.C. Glass High School courtyards \$ 20,000
- purchase playground mulch \$ 15,000
- purchase two (2) towable light towers \$ 12,000
- purchase fertilizer and seeds \$ 10,000
- repair bus parking lot erosion problem \$ 5,000

Total reallocation requests

\$1,096,000

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Agenda Report

Date: 04/19/16

Agenda Number: H-3

Attachments: No

Given school board approval, the funds to purchase or make adjustments to existing budgets will come from available funds within the existing operating budget.

Various Salaries and Non-Personnel accounts

\$1,096,000

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The school administration requests these budget adjustments be approved for the 2015-16 school year in order to fund these one-time adjustments or purchases.

Additional Information on some of the above items:

Information Technology (\$300,000) – Lynchburg City Schools applied for funds to improve our technology infrastructure to the Universal Service Administrative Company (USAC), an administrative company appointed by the Federal Communications Commission to administrate the E-Rate program. Our grant request was approved in the amount of \$994,778 which requires a 20% local match of \$200,000. Included in our request of \$300,000 is the local match of \$200,000 and \$100,000 to purchase E-Rate IT equipment that was not funded. The grant is to be used for specific IT infrastructure as approved in the grant. Wireless access points, antennas, and data distribution switches are examples of items that were funded.

Facilities & Maintenance (\$275,000) – The compressor on the chiller unit at Paul Munro failed resulting in the unit only capable of operating at 50% capacity. Due to the age of the chiller, continued repairs would be more costly than a complete replacement; therefore the decision was made to replace the chiller unit. The \$275,000 includes the cost of the chiller of \$130,000 and some installation cost of \$145,000. The total installation cost is \$295,000. Only the cost of the installation work that can be completed before June 30, 2016 is included in this request.

Transportation (\$150,000) – Transportation’s bus garage existing bus lift is the original lift installed when the shop built and is not configured to work on the new buses. In addition, due to the length of some of our buses, when they are on the lift the shop door cannot be closed.

Agenda Report

Date: 04/19/16

Agenda Number: H-3

Attachments: No

Fort Hill Community School (\$84,000) – LCS currently leases two (2) mobile units at FHCS at an annual cost of \$8,400 each. The cost to purchase the same mobile units would be \$42,000 each for a total cost of \$84,000. Since there are no plans to construct permanent builds at FHCS, it would make sense to purchase the mobile units which would pay for itself in five years.

Disposition: Action
 Information
 Action at Meeting on: 05/03/16

Recommendation:

The superintendent recommends that the school board receive the agenda report as an informational item and consider action at the school board meeting on May 3, 2016.

Agenda Report

Date: 04/19/16

Agenda Number: H-4

Attachments: Yes

From: Mary Ann Hoss

Subject: School Board Governance Norms and Protocols

Summary/Description:

The Lynchburg City School Board met with the Virginia School Boards Association for a professional development activity in March regarding board governance norms and protocols and roles and responsibilities. As a result of that meeting, the school board developed the attached document that provides clear guidelines and procedures for all aspects of board communication, school board meeting agenda development, interactions with the school community, professional development, and the evaluation of the superintendent and itself.

By approving this document, the school board agrees to employ and follow the governance norms and protocols contained therein.

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

Recommendation:

The superintendent recommends that the school board approve the Lynchburg City Schools Governance Norms and Protocols.

Lynchburg City School Board

Sample Governance Norms & Protocols

We agree to employ the following norms in all our interactions:

- **We will hear each opinion, but ultimately act as one.** We will speak candidly and courteously to each other and listen to dissenting or different viewpoints with an open mind. We will help each other to depersonalize disagreements. Once we reach a decision or compromise as a board, we will each support the will of the board in word and deed.
- **The chairman (or designee) will speak as the official voice of the board.** A single board member will not represent the board without the consent of the board, and board members making personal statements (in any format, including speeches, articles, social media posts, etc.) should clearly state that these statements are their opinion and not the position of the board.
- **We will be mindful of the different roles and responsibilities throughout the school system and maintain a focus on policy and governance.**
- **We will be aware of the different roles that we play as individuals (board member, citizen, parent, etc.).**
- **We will be focused on our work as a board and not interfere with the day-to-day operations of the school system, which is the responsibility of the superintendent.**
- **We will maintain open communication with each other, the administration, and the community-at-large.** Information shared with one board member will be shared with all members. If considerable work or time is required to generate data, the full board must endorse the request.

We agree to follow the following protocols:

<p>Developing the board agenda</p>	<p>Superintendent develops the draft agenda and provides to the chairman for review prior to distribution.</p> <p>Timing Considerations</p> <p>Step 1: The “working draft” (minus supporting documents) provided to the chairman one week prior to agenda distribution for initial feedback.</p> <p>Step 2: The draft agenda (with supporting documents) provided to the chairman one day prior to agenda distribution for final review.</p> <p>Step 3: The final agenda will be distributed to the board on the Thursday prior to the meeting.</p>
<p>Placing items on the board meeting agenda</p>	<p>Requests should be submitted to the chairman, who will then poll the board to see if there is board majority interest in adding the item to the agenda.</p> <p>Policy BDDC</p>
<p>Obtaining information or clarification about board meeting agenda items before the meeting</p>	<p>Requests for information/clarification should be directed to the superintendent. Responses will be sent to all board members.</p>
<p>Responding to staff or community complaints at board meetings</p>	<p>The board does not respond to public comment at the meetings. The chairman will send a written response/ acknowledgement.</p> <p>**Add verbal statement at the beginning of public comment clarifying that comments will not receive a verbal response at the meeting.</p>
<p>Responding to staff or community complaints outside of board meetings</p>	<p>Limit discussion, advise person of chain of communication and notify superintendent.</p>
<p>Communications between and among board members</p>	<p>1-on-1 communication. E-mail (no “reply all”). Phone calls.</p>

Communications between board members and the superintendent	<p>As appropriate, superintendent will Cc other board members when responding to requests for information by an individual board member.</p> <p>Friday Memo</p> <p>Individual calls, e-mails, meetings, as needed.</p> <p>Quarterly 1-on-1.</p>
Communications between board members and staff (including requests for information)	<p>Communication should be directed to the superintendent, who will then direct staff, as appropriate.</p> <p>Information request responses will be sent to all board members.</p>
Assignment of committee members	<p>Volunteer, by interest. If needed, chairman will assign. Seniority given to board service.</p>
Committee reporting expectations	<p>The chairman of the committee will report at each board meeting.</p>
Responding to media inquiries	<p>The chairman, or board designee, is the official media spokesperson for the board.</p>
Use of social media	<p>Board members are encouraged to share official LCS content.</p> <p>**Board members should not create/alter content regarding the division or speak/post on behalf of the board.</p> <p>**Discussion re: being Facebook friends with fellow board members.</p>
How, when and whom to notify about visiting school sites	<p>Requests for official school visits should be coordinated with the principal and superintendent Cc'd.</p>
How, when and whom to notify about volunteering in schools or at school events	<p>Board members will notify the superintendent.</p>
How, when and whom to notify about attending	<p>Encouraged. No notification required.</p>

school events (concerts, sporting events, etc.)	
Expectations for participation in professional development	In accordance with the Code of Virginia §22.1-253.13:5 (A) and (D)
Expectations for participation in meetings and conferences	In accordance with the Code of Virginia 22.1-253.13:5 (A) and (D)
When and how the board evaluates the superintendent	In accordance with the Superintendent’s Evaluation Document adopted by the Lynchburg City School board on August 20, 2013.
When and how the board conducts a self-evaluation	TBD
When and how the board monitors and updates the comprehensive plan	Official review annually at school board retreat. Ongoing use for alignment with budget, status on progress, etc.

Violation of these norms and protocols will result in the following actions:

VIOLATION 1

Through consensus, the chairman speaks with school board member.

VIOLATION 2

Through consensus, the chairman sends a letter to the school board member.

VIOLATION 3

Through consensus, the chairman reports violations to Lynchburg City Council as information for its deliberation in the re-appointment process.

VIOLATION 4