

Memorandum

TO: ACPS School Board Policy Subcommittee
FROM: Matt Smith, Policy Services Consultant
DATE: February 9, 2023
SUBJECT: Proposed Policy Revisions

Staff are proposing revisions to the following policies:

- IAA - Notification of Learning Objectives
- IC/ID - School Year/School Day
- IGAI - Character Education

These policies have been revised to align with the ACPS Policy Style Guide, aligned with the VSBA model policy and the Code of Virginia, and reviewed by the Equity Audit Team, ACPS staff members, and the Senior Leadership Team

These policies are proposed for information at various dates this school year.

Revision Summaries

IAA - Notification of Learning Objectives

- 5-year review
- VSBA model policy alignment
- Standard Changes

IC/ID - School Year/School Day

- Standard Changes
- Legal References updated
- References to half-day kindergarten removed based on amendment to Va. Code § 22.1-79.1 by [SB 238](#) (2020).
 - **Public schools; kindergarten instructional time.** Increases from 540 hours to 990 hours the minimum instructional hours in a school year for students in kindergarten, beginning July 1, 2022. The bill directs the Board of Education to adopt regulations by July 1, 2022, establishing standards for accreditation that include a requirement that the standard school day for students in kindergarten average at least 5.5 instructional hours in order to qualify for full accreditation.
- Requirement for in-person instruction added to reflect enactment of Va. Code § 22.1-2.1 by HB 1272 and [SB 739](#).
 - **Public elementary and secondary schools and public school-based early childhood care and education programs; student instruction; masks; emergency.** Requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each

school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. The bill requires each local school division to comply with the foregoing provisions relating to masks no later than March 1, 2022. The bill clarifies that none of the foregoing provisions shall be construed to affect the authority granted to the Governor to achieve the purposes of relevant emergency services and disaster law with regard to a communicable disease of public health threat. The bill contains an emergency clause.

IGAI - Character Education

- Standard changes
- Added a Board Belief Statement
- Added a paragraph connecting the seal of the Commonwealth with ACPS's ongoing work to eliminate racism.
- Policy updated to reflect the 2019 enactment of Va. Code § 22.1-207.2:1 by [HB 2107](#).
 - **Anti-bullying or suicide prevention materials; parental right to review.** Each school board shall develop and implement policies that ensure that parents have the right to review any audio-visual materials that contain graphic sexual or violent content used in any anti-bullying or suicide prevention program. Such policies shall require that prior to using any such material, the parent of the child participating in such a program shall be provided written notice of his right to review the material and his right to excuse his child from participating in the part of such program utilizing such material.
- Legal References updated to reflect enactment of Va. Code § 22.1-23.3 by HB 145/[SB 161](#) (2020).
 - **Public elementary and secondary schools; treatment of transgender students; policies.** Requires the Department of Education to develop and make available to each school board, no later than December 31, 2020, model policies concerning the treatment of transgender students in public elementary and secondary schools that address common issues regarding transgender students in accordance with evidence-based best practices and include information, guidance, procedures, and standards relating to (i) compliance with applicable

nondiscrimination laws; (ii) maintenance of a safe and supportive learning environment free from discrimination and harassment for all students; (iii) prevention of and response to bullying and harassment; (iv) maintenance of student records; (v) identification of students; (vi) protection of student privacy and the confidentiality of sensitive information; (vii) enforcement of sex-based dress codes; and (viii) student participation in sex-specific school activities and events, excluding athletics, and use of school facilities. The bill requires each school board to adopt, no later than the beginning of the 2021-2022 school year, policies that are consistent with but may be more comprehensive than such model policies developed by the Department of Education. This bill is identical to HB 145.