

MINUTES

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4 Minutes are ~~recorded~~ taken at all open meetings, approved by the School Board in regular session,  
5 signed by the Clerk and Board Chair, and kept and stored in accordance with the provisions of the  
6 Code of Virginia.

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8 Minutes of open School Board meetings are posted on the ACPS website within seven working  
9 days of their final approval.

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11 Draft minutes and all other records of open meetings, including audio or audio/visual records, are  
12 public records open pursuant to the Virginia Freedom of Information Act as described in Policy  
13 KBA and Regulation KBA-R.

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15 Minutes may be taken during closed meetings of the School Board, but are not required. Such  
16 minutes are not subject to mandatory public disclosure.

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18 It is the policy of the Alexandria City School Board that minutes will be taken at all deliberations  
19 of Board-appointed committees and subcommittees and ~~made publicly available~~ posted on the  
20 ACPS website within seven working days of their final approval.

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23 Minutes are in writing and include, but are not limited to:

- 24 ● the date, time, and location of the meeting;
- 25 ● the members of the School Board recorded as present and absent;
- 26 ● a summary of the discussion on matters proposed, deliberated or decided; and
- 27 ● a record of any votes taken.

- 31 Adopted: October 24, 1996
- 32 Amended: September 9, 1999
- 33 Amended: March 21, 2002
- 34 Amended: June 18, 2009
- 35 Amended: April 30, 2015
- 36 Amended: October 12, 2017
- 37 Amended: December 5, 2019

38  
39  
40 Legal Refs.: Code of Virginia, 1950, as amended, §§, 2.2-3704, 2.2-3707, 2.2-3712,  
41 22.1-74.

- 42  
43 Cross Refs.: BDC Closed Meetings
- 44 BDD Electronic Participation in Meetings from Remote
- 45 Locations
- 46 KBA Requests for Public Records
- 47 KBA-R Requests for Public Records Regulations

**Commented [1]:** Per the amendment to Va. Code § 2.2-3707

**Commented [2]:** Does the School Board have a window/deadline for approval?

**Commented [3R2]:** Under Roberts Rules of Order they typically approved the minutes from the previous meeting as one of the first acts in the next meeting. In ACPS this is part of the Consent Calendar, items the Board approves without additional discussion.

**Commented [4]:** Per the enactment of Va. Code § 2.2-3707.2

**Commented [5R4]:** When we make changes to policy like this, who is responsible for notifying impacted staff of such changes?

**Commented [6R4]:** We put them on the revision team. In this case the Clerk is part of the team as this is their responsibility.

**Commented [7]:** Is this required by VA code? I'm not sure if our advisory committees currently turnaround their minutes this quickly.

**Commented [8R7]:** Yes, it's required. Its after approval so assuming they approve at their next meeting the Board Clerk would have 7 working days to post them. Its on Susan's brand new process documentation.

**SCHOOL BOARD MEMBER IN-SERVICE ACTIVITIES**

**Commented [MS1]:** Policy has been adjusted to align with the VSBA model policy. The Subcommittee may want to include some of the removed content.

~~The School Board places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Board shall plan specific in-service activities designed to assist School Board Members in their efforts to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the educational activities of the local schools; and, to deepen their insights into the nature of leadership in a modern democratic society.~~

~~School Board members will participate annually in high-quality professional development activities at the state, local, or national levels on governance, including, but not limited to, personnel policies and practices; the evaluation of personnel; curriculum and instruction; use of data in planning and decision making; and current issues in education.~~

~~The School Board regards the following as the kinds of activities and services appropriate for implementing this policy:~~

- ~~1. Participation in School Board conferences, workshops and conventions conducted by the Virginia School Boards Association (VSBA) and the National School Boards Association (NSBA) and similar events sponsored by other recognized providers of continuing education that promote the purpose of this policy.~~
- ~~2. Division sponsored training sessions for School Board Members.~~
- ~~3. Subscriptions to publications addressed to the concerns of School Board Members.~~
- ~~4. Presentations at state and national education conferences, workshops, or meetings provided, however, that materials which are distributed at such events shall state prominently that they represent the views of the presenter and not the School Board.~~

~~Members of ACPS School Board participate annually in high-quality professional development activities at the state, local, or national levels on governance, including personnel policies and practices; the evaluation of personnel, curriculum, and instruction; use of data in planning and decision-making; and current issues in education as part of their service on the School Board.~~

**Required Training**

~~Each elected board member completes a training session on the Virginia Freedom of Information Act (FOIA) provided by the Virginia Freedom of Information Advisory Council or the Board's attorney within two months of assuming office and thereafter at least once every two calendar years.~~

44 Each elected board member completes a training session for local elected officials on the State and  
45 Local Government Conflict of Interests Act (COIA) provided by the Virginia Conflict of Interest  
46 and Ethics Advisory Council (the Ethics Council) within two months of assuming office and  
47 thereafter at least once every two calendar years.

48  
49 **Additional Training**

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51 School Board members may:

- 52 1. attend one annual convention during their three-year term.
  - 53 ● ~~A Board Member may attend the annual convention of the NSBA (or similar national~~  
54 ~~event sponsored by the NSBA); or once in his or her three year term unless otherwise~~  
55 ~~approved by the School Board.~~
  - 56 ● A convention, conference, or workshop sponsored by a recognized education provider  
57 other than the NSBA of equivalent expense to the annual convention of the NSBA.
- 58 2. attend any program or conference sponsored by the VSBA.
- 59 3. subscribe to publications addressed to the concerns of School Board Members.

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61 The School Board may choose to hold additional training sessions for the entire School Board  
62 based on identified needs and priorities.

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64 **Records and Funding**

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66 The school board clerk maintains records of the dates on which each School Board member  
67 completed the required FOIA, COIA, and optional additional trainings. The records are maintained  
68 in the clerk's office for five years.

69  
70 ~~The School Board shall budget funds annually to support this program. The School Board shall~~  
71 ~~reimburses individual School Board members for out-of-pocket costs incurred through~~  
72 ~~participation in approved activities. The authority to approve or disapprove reimbursement for~~  
73 ~~School Board member's in-service activities shall be as follows:~~

- 74 ~~1. No prior approval is required for reimbursement of out of pocket travel and program~~  
75 ~~expenses for any program or conference sponsored by the VSBA.~~
- 76 ~~2. A Board Member may attend the annual convention of the NSBA (or similar national event~~  
77 ~~sponsored by the NSBA) once in his or her three year term unless otherwise approved by~~  
78 ~~the School Board.~~
- 79 ~~3. In lieu of attendance at events sponsored by the NSBA as described in subparagraph 2,~~  
80 ~~above, School Board Members may elect to attend a convention, conference, or workshop~~  
81 ~~sponsored by a recognized education provider other than the NSBA of equivalent expense~~  
82 ~~to the annual convention of the NSBA once in his or her three year term, or more with the~~  
83 ~~approval of the Chair.~~

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86 The School Board may grant waivers of the provisions of this policy. The School Board shall keep

Commented [MS2]: Reflected in the content above.

87 the public informed through the media about the School Board's continuing in-service educational  
88 activities.  
89  
90 Adopted: October 24, 1996  
91 Amended: December 6, 2001  
92 Amended: October 7, 2004  
93 Amended: April 6, 2006  
94 Amended: April 24, 2014  
95 Amended: December 4, 2014  
96  
97 Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3132, 2.2-3704~~section~~ [22.1-](#)  
98 [253.13:5](#)  
99  
100 Cross Ref.: BBFA Conflict of Interests and Disclosure of Economic Interests  
101 BCC School Board Clerk

**Commented [3]:** I don't think this has been happening  
**Commented [4R3]:** This is new to the ACPS policy but is part of the VSBA model policy. We can chat with Julia Burgos about that, she's been added to the staff revision team.

**REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE**

**I. Purpose**

The School Board is committed to the health and well-being of all Alexandria City Public Schools (ACPS) students and staff. ACPS will take proactive measures to create a school climate that is safe, equitable and conducive to learning. The school division will report acts of violence and substance abuse to law enforcement as required by Virginia law while also supporting students with interventions that meet their individual and unique needs and encourage behavior change.

The purpose of reporting acts of violence and substance abuse is to develop a program of preventative and restorative activities to provide a safe environment conducive to learning. To fulfil this purpose, ACPS partners with child serving agencies throughout Alexandria City to provide wrap around services that are preventative and restorative and that contribute to an environment that is conducive to learning.

**II. Prevention and Intervention Activities**

Whenever any student commits any reportable incident as set forth in this policy, such student shall be required to participate in prevention and intervention activities as deemed appropriate by the Superintendent or designee.

The School Board develops, in cooperation with parents/guardians, the community at large, local law-enforcement agencies, and juvenile and domestic relations court judges and personnel, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing and bullying. These programs are in alignment with Policy JFC Student Code of Conduct and include activities designed to prevent the recurrence of violence and crime, including hazing and bullying, may include such interventions as education relating to Virginia’s criminal law, school crime lines, peer mediation, conflict resolution, restorative practices, social/emotional learning, community service requirements and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a tiered system of support and a network of volunteer services in implementing prevention activities.

**III. Acts Reported to the Superintendent and Principal**

A. Reports are made to the superintendent and the principal or principal’s designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;

- 48 3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person,  
49 abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking  
50 of any person as described in Va. Code § 18.2-60.3, on a school bus, on school  
51 property, or at a school-sponsored activity;
- 52 4. any written threats against school personnel while on a school bus, on school  
53 property, or at a school-sponsored activity;
- 54 5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school  
55 property;
- 56 6. any illegal conduct involving firebombs, explosive materials or devices, or hoax  
57 explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary  
58 devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in  
59 Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored  
60 activity;
- 61 7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made  
62 against school personnel or involving school property or school buses;
- 63 8. the arrest of any student for an incident occurring on a school bus, on school  
64 property, or at a school-sponsored activity, including the charge therefore; or
- 65 9. any illegal possession of weapons, alcohol, drugs or tobacco products.

66 The principal of each school collects and maintains information on the above listed acts  
67 which occur on school property, on a school bus, or at a school-sponsored activity.  
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70 B. The Superintendent and the principal or designee shall receive reports from local law  
71 enforcement authorities on offenses, wherever committed, by students enrolled at the school if  
72 the offense would be a felony if committed by an adult or would be a violation of the Drug  
73 Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property,  
74 or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents  
75 described in clauses (1) through (8) of subsection III.A. of this policy, and whether the student  
76 is released to the custody of the student’s parent/guardian or, if 18 years of age or more, is  
77 released on bond. The Superintendent may request that the reports include information  
78 regarding terms of release from detention, court dates and terms of any disposition orders  
79 entered by the court. When the Superintendent receives notification that a juvenile has  
80 committed an act that would be a crime if committed by an adult pursuant to subsection G of  
81 Va. Code § 16.1-260, the Superintendent reports such information to the principal of the school  
82 in which the juvenile is enrolled.  
83

#### 84 IV. Reporting Duties of the Principal and Superintendent

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86 Except as may otherwise be required by federal law, regulation, or jurisprudence, each  
87 principal:

- 88 ● immediately reports to the local law-enforcement agency any incident described in clause  
89 III.A.1 of this policy that may constitute a felony offense;
- 90 ● immediately reports to the local law-enforcement agency any incident described in clauses  
91 III.A.3 through 7 of this policy except that a principal is not required to but may report to

- 92           the local law-enforcement agency any incident described in clause III.A.4 committed by a
- 93           student who has a disability;
- 94           ● may report to the local law-enforcement agency any other incident described in clauses
- 95           III.A.1 through 8 of this policy that is not required to be reported by the previous two
- 96           bullets; and
- 97           ● immediately reports any act enumerated in clauses III.A.1 through 5 of this policy that may
- 98           constitute a criminal offense to the parents of any minor student who is the specific object
- 99           of such act. The principal also reports whether the incident has been reported to local law
- 100           enforcement pursuant to this policy and, if the incident has been so reported, that the
- 101           parents may contact local law enforcement for further information.

102

103           The principal or designee reports all incidents required to be reported pursuant to clause III.A.

104           of this policy to the Superintendent. The Superintendent annually reports all such incidents to

105           the Department of Education for the purpose of recording the frequency of such incidents on

106           forms that are provided by the Department and makes such information available to the public.

107

108           In submitting reports of such incidents, principals and the Superintendent or designee

109           accurately indicate any offenses, arrests or charges as recorded by law-enforcement authorities

110           and required to be reported by such authorities pursuant to subsection III.B. of this policy.

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115           The principal or designee notifies the parent/guardian of any student involved in an incident

116           required to be reported pursuant to this policy, regardless of whether disciplinary action is

117           taken against such student or the nature of the disciplinary action. Such notice relates to only

118           the relevant student’s involvement and does not include information regarding other students.

119

120           The principal or designee follows all current ACPS/APD MOU requirements when law

121           enforcement contact is made with a school. All incidents reported to Safety and Security

122           Services should be in line with this policy.

- 123
- 124   Adopted:       October 24, 1996
- 125
- 126   Amended:      July 6, 2000
- 127   Amended:      June 2, 2002
- 128   Amended:      April 6, 2006
- 129   Amended:      April 26, 2007
- 130   Amended:      December 20, 2018
- 131   Amended:      December 17, 2020

132

133   Legal Refs:     Code of Virginia, 1950, as amended, §§ 8.01-47, 22.1 279.3:1,

134                    22.1-279.9.

135

136                    8 VAC 20-560-10.

137

138	Cross Refs.:	JM	Restraint and Seclusion of Students
139		KNAJ	Relations with Law Enforcement Authorities
140			



## REPORTING ACTS OF VIOLENCE AND SUBSTANCE ABUSE

### I. Purpose

The School Board is committed to the health and well-being of all Alexandria City Public Schools (ACPS) students and staff. ACPS will take proactive measures to create a school climate that is safe, equitable and conducive to learning. The school division will report acts of violence and substance abuse to law enforcement as required by Virginia law while also supporting students with interventions that meet their individual and unique needs and encourage behavior change.

The purpose of reporting acts of violence and substance abuse is to develop a program of preventative and restorative activities program of prevention activities to provide a safe environment conducive to learning. To fulfil this purpose, ACPS partners with child serving agencies throughout Alexandria City to provide wrap around services that are preventative and restorative and that contribute to an environment that is conducive to learning.

**Commented [1]:** Summary of the code change causing the policy change: <https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB36>

**Commented [MS2]:** Added a board belief statement

**Commented [3]:** partner with other child serving agencies throughout Alexandria City to provide wrap around services that are preventative and restorative and that contribute to an environment that is conducive to learning.

**Commented [MS4R3]:** Added

**Commented [MS5]:** Added to better reflect practices

### II. Prevention and Intervention Activities

Whenever any student commits any reportable incident as set forth in this policy, such student shall be required to participate in prevention and intervention activities as deemed appropriate by the Superintendent or designee.

The School Board develops, in cooperation with ~~the local law enforcement agencies, juvenile and domestic relations court judges and personnel,~~ parents/guardians, and the community at large, local law-enforcement agencies, and juvenile and domestic relations court judges and personnel, programs to prevent violence and crime on school property and at school-sponsored events, which include prevention of hazing and bullying. ~~These programs are in alignment with Policy JFC Student Code of Conduct and include -a-~~ activities designed to prevent the recurrence of violence and crime, including hazing and bullying, may include such interventions as education relating to Virginia's criminal law, school crime lines, peer mediation, conflict resolution, restorative practices, social/emotional learning, community service requirements and any program focused on demonstrating the consequences of violence and crime. The School Board may develop and use a tiered system of support and a network of volunteer services in implementing prevention activities.

### III. Acts Reported to the Superintendent and Principal

- A. ~~Except as may otherwise be required by federal law, regulation, or jurisprudence, reports are made to the Superintendent and to the principal or designee on all incidents involving:~~
- ~~1. The assault, or assault and battery, without bodily injury of any person on a school bus, on school property, or at a school sponsored activity;~~
  - ~~2. The assault and battery, which results in bodily injury, sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or Va. Code § 18.2-48, or stalking of any person~~

- as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at school-sponsored activity;
- ~~3. Any conduct involving alcohol, marijuana, a controlled substance, imitation controlled substance or an anabolic steroid on a school bus, on school property or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;~~
  - ~~4. Any threats against school personnel while on a school bus, on school property or at a school-sponsored activity;~~
  - ~~5. The illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;~~
  - ~~6. Any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs as described in Va. Code § 18.2-87.1, on a school bus, on school property or at a school-sponsored activity;~~
  - ~~7. Any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses; and~~
  - ~~8. The arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor; and~~
  - ~~9. Any illegal possession of weapons, alcohol, drugs, or tobacco products.~~

A. Reports are made to the superintendent and the principal or principal's designee on all incidents involving

1. alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications;
2. the assault and battery that results in bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity;
3. the sexual assault, death, shooting, stabbing, cutting, or wounding of any person, abduction of any person as described in Va. Code § 18.2-47 or § 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity;
4. any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
5. the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;
6. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity;
7. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses;

- 8. the arrest of any student for an incident occurring on a school bus, on school property, or at a school-sponsored activity, including the charge therefor~~therefor~~  
or
- 9. any illegal possession of weapons, alcohol, drugs or tobacco products.

The principal of each school collects and maintains information on the above listed acts which occur on school property, on a school bus, or at a school-sponsored activity.

~~A.B.~~ The Superintendent and the principal or designee shall receive reports from local law enforcement authorities on offenses, wherever committed, by students enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act (Va. Code § 54.1-3400 et seq.) and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving any incidents described in clauses (1) through (8) of subsection III.A. of this policy, and whether the student is released to the custody of the student’s parent/guardian or, if 18 years of age or more, is released on bond. The Superintendent may request that the reports include information regarding terms of release from detention, court dates and terms of any disposition orders entered by the court. When the Superintendent receives notification that a juvenile has committed an act that would be a crime if committed by an adult pursuant to subsection G of Va. Code § 16.1-260, the Superintendent reports such information to the principal of the school in which the juvenile is enrolled.

#### IV. Reporting Duties of the Principal and Superintendent

Except as may otherwise be required by federal law, regulation, or jurisprudence, each principal:

- immediately reports to the local law-enforcement agency any incident described in clause III.A.1 of this policy that may constitute a felony offense;
- immediately reports to the local law-enforcement agency any incident described in clauses III.A.3 through 7 of this policy except that a principal is not required to but may report to the local law-enforcement agency any incident described in clause III.A.4 committed by a student who has a disability;
- may report to the local law-enforcement agency any other incident described in clauses III.A.1 through 8 of this policy that is not required to be reported by the previous two bullets; and
- immediately reports any act enumerated in clauses III.A.1 through 5 of this policy that may constitute a criminal offense to the parents of any minor student who is the specific object of such act. The principal also reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident has been so reported, that the parents may contact local law enforcement for further information.

The principal or designee reports all incidents required to be reported pursuant to ~~section clause~~ III.A. of this policy to the Superintendent. The Superintendent annually reports all such incidents to the Department of Education for the purpose of recording the frequency of such

**Commented [6]:** Again subjective

**Commented [7R6]:** Yes, the code gives the Principal discretion for certain offenses.

**Commented [8]:** Do we have a list of what does and does not get reported?

**Commented [9]:** Do parents always have to be called AFTER law enforcement?

**Commented [10R9]:** This doesn't prevent the principal from contacting the parent during their investigation process.

**Commented [11]:** Are principals aware of this?

**Commented [12R11]:** We will need to review these updates with principals.

**Commented [13]:** So this is left to the principal's discretion? That leaves room for bias. What is the criteria for reporting or not reporting when a student has a disability. Are there specific disabilities that would suggest not reporting?

**Commented [14R13]:** I believe this language was a compromise in the state legislature in that it allows divisions that want to require such incidents to be reported to do that, but allows other jurisdictions the flexibility not to mandate reporting for certain incidents. Matt, can you clarify if this is correct? If so, we may want to decide which approach to take since this language is very confusing. We could also create our own criteria for when to report, to remove the subjectivity?

**Commented [15R13]:** While it looks like a new section in the ACPS policy it's almost identical to what existed before (redlined below) and is a direct copy/paste from the Code of Virginia.

Here's the summary of the change:

<https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB36>

It's my understanding the legislature has removed the Principal's discretion to report or not. They also lowered the bar from felony to criminal.

incidents on forms that are provided by the Department and makes such information available to the public.

In submitting reports of such incidents, principals and the Superintendent or designee accurately indicate any offenses, arrests or charges as recorded by law-enforcement authorities and required to be reported by such authorities pursuant to subsection III.B. of this policy.

~~Except as may otherwise be prohibited by federal law, regulation or jurisprudence, the principal immediately reports to local law enforcement officials any of the acts listed in clauses (2) through (7) of subsection III.A. of this policy that may constitute a felony offense and may report to the local law enforcement agency any incident described in clause (1) of subsection III.A.~~

~~In addition, except as may be prohibited by federal law, regulation or jurisprudence, the principal also immediately reports any act enumerated in clauses (2) through (5) of subsection III.A. of this policy that may constitute a criminal offense to the parents/guardians of any minor student who is the specific object of such act. Further, the principal reports whether the incident has been reported to local law enforcement pursuant to this policy and, if the incident is so reported, that the parents/guardians may contact local law enforcement for further information, if they so desire.~~

The principal or designee notifies the parent/guardian of any student involved in an incident required to be reported pursuant to this policy, regardless of whether disciplinary action is taken against such student or the nature of the disciplinary action. Such notice relates to only the relevant student's involvement and does not include information regarding other students.

The principal or designee follows all current ACPS/APD MOU requirements when law enforcement contact is made with a school. All incidents reported to Safety and Security Services should be in line with this policy.

Adopted: October 24, 1996  
Amended: July 6, 2000  
Amended: June 2, 2002  
Amended: April 6, 2006  
Amended: April 26, 2007  
Amended: December 20, 2018  
Amended: December 17, 2020

Legal Refs: Code of Virginia, 1950, as amended, §§ 8.01-47, 22.1 279.3:1, 22.1-279.9.  
8 VAC 20-560-10.

Cross Refs.: JM Restraint and Seclusion of Students  
KNAJ Relations with Law Enforcement Authorities

ALEXANDRIA CITY PUBLIC SCHOOLS

**File: CLA**

**FOOD SERVICE MANAGEMENT**

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The Superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. In the monthly financial statements to the School Board and in the proposed and final budget documents, the Superintendent reports to the School Board on the self-supporting financial status of the Division’s food service operations.

- Adopted: October 24, 1996
- Amended: April 6, 2006
- Amended: October 8, 2009
- Amended: October 15, 2015
- Amended: December 5, 2019
- Amended: December 16, 2021

Legal Refs: 42 U.S.C. §1751 et seq.  
 Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

Cross Refs.:	DI	Financial Accounting and Reporting
	EFB/JHCH	ACPS Food Services
	JHCF	Student Wellness
	JHCF-R	Student Wellness Guidelines
	EFB-R/JHCH-R	Regulations for School Meals and Snacks
	DGC	School Activity Funds
	GAA	Staff Time Schedules
	GBE	Staff Health

1 FOOD SERVICE MANAGEMENT

2  
3 The Superintendent is authorized to develop and implement an efficient and effective food  
4 services system for the students and employees of the school division. In the monthly financial  
5 statements to the School Board and in the proposed and final budget documents, the  
6 Superintendent reports to the School Board on the self-supporting financial status of the Division's  
7 food service operations.

Commented [1]: Added to clarify the program is self supporting.

- 8
- 9 Adopted: October 24, 1996
- 10 Amended: April 6, 2006
- 11 Amended: October 8, 2009
- 12 Amended: October 15, 2015
- 13 Amended: December 5, 2019
- 14 Amended: December 16, 2021

15

16 Legal Refs: 42 U.S.C. §1751 et seq.

17

18 Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

19

20 Cross Refs.: DI Financial Accounting and Reporting

21 EFB/JHCH ACPS Food Services

22 JHCF Student Wellness

23 JHCF-R Student Wellness Guidelines

24 EFB-R/JHCH-R Regulations for School Meals and Snacks

25 DGC School Activity Funds

26 GAA Staff Time Schedules

27 GBE Staff Health

1  
2  
3  
4 **ACPS SCHOOL NUTRITION SERVICES**

5 Alexandria City Public Schools (ACPS) promotes high-quality school meals and snacks,  
6 recognizing that students need adequate, nourishing food in order to learn, grow, and maintain  
7 good health. It strives to provide an environment conducive to good health by supporting  
8 nutrition education and physical education. To reinforce the school division’s nutrition education  
9 program, foods sold during regular school hours (on school premises) will follow the Healthy,  
10 Hunger-Free Kids Act of 2010.

11 Additionally, snacks and fundraisers during regular school hours and on school premises will  
12 follow the USDA’s Smart Snacks in School standards, unless qualifying for a “competitive  
13 foods” exemption as described in Regulation EFB-R/JHCH-R.

14  
15 **I. FREE AND REDUCED PRICE FOOD SERVICES**

16  
17 ACPS provides free and reduced price breakfasts and lunches to students according to the  
18 terms of the National School Lunch Program, the National School Breakfast Program, and  
19 any other special meal/snack programs identified to meet the needs of our students. School  
20 officials determine student eligibility based on guidelines established by federal law.  
21 Eligible students are provided nutritionally acceptable meals and milk at a free and/or  
22 reduced cost if state and federal resources for school food programs are available. The  
23 Superintendent or designee establishes procedures as needed to implement this policy.  
24 These procedures include posting prominently on the ACPS website a web-based  
25 application and the option of a paper-based application.

26  
27 The criteria for determining a student’s eligibility and the procedures for securing free and  
28 reduced price meals and milk is publicly announced at the beginning of each school year  
29 and made available to parents/guardians of all children in attendance at ACPS through a  
30 variety of media platforms.

31  
32 ACPS eliminates any stigma attached to, and prevents public identification of, students  
33 who are eligible for free and reduced priced meals. Students who participate in free and  
34 reduced cost meal programs are not overtly identified, distinguished, or served differently  
35 than other students.

36  
37 If any school in the division has a student population that qualifies for free and reduced-  
38 price meals at a minimum percentage of 50 percent in the prior school year and  
39 simultaneously offers educational or enrichment activities, the School Board applies to the  
40 Virginia Department of Education for such school to participate in the Afterschool Meal  
41 Program administered by the U.S. Department of Agriculture Food and Nutrition (FNS)  
42 Child and Adult Care Food Program (CACFP) to subsequently and simultaneously serve  
43 federally reimbursable meals, snacks or both, and offer an afterschool education or  
44 enrichment program pursuant to FNS guidelines and state health and safety standards.

45  
46 **II. ETHNIC AND RACIAL DATA COLLECTION FOR SFSP AND CACFP MEAL**



47 **PROGRAMS**

48  
49 In accordance with U.S. Department of Agriculture Food and Nutrition Service (USDA-  
50 FNS) regulations, when possible, ethnic and racial data should be collected about students  
51 and other individuals participating in the Child and Adult Care Food Program and Summer  
52 Food Service Programs. Parents or guardians should be made aware that this information  
53 is to ensure compliance with USDA nondiscrimination requirements. Participant names are  
54 not required, however if the participants are ACPS students then the names may be used to  
55 assist with collection of the data.

56  
57 Aggregate data may be used when individual data cannot be collected. Aggregate data must  
58 be specific to the program’s locality. Examples of acceptable aggregate data sources  
59 include local school databases, U.S. Census Quick facts, and the National Center for  
60 Education Statistics Common Core of Data.

61  
62 **III. UNPAID MEAL CHARGES**

63  
64 Students who do not have money on account or in hand to cover the cost of a meal at the  
65 time of service are permitted to charge a full meal in accordance with the procedures  
66 discussed in Regulation EFB-R/JHCH-R. Students who cannot pay for a meal at school or  
67 who owe a school meal debt are not required or directed to throw away or discard a meal  
68 after it has been served to them. Students who cannot pay for a meal are never required  
69 to do chores or other work to pay for such meals and are not publicly identified, including  
70 by the wearing of a wristband or hand stamp.

71  
72 School Nutrition Services (SNS) notifies principals of any unpaid meal charges. Each  
73 school principal or designee notifies the student’s parent/guardian in their preferred  
74 language regarding negative account balances according to the procedures in Regulation  
75 EFB-R/JHCH-R. Parents/guardians are expected to pay all meal charges in full by the last  
76 day of the school year.

77  
78 ACPS may solicit and receive any donation or other funds for the purpose of eliminating  
79 or offsetting any school meal debt at any time and will use any such funds solely for such  
80 purpose.

81  
82 ACPS does not deny any student the opportunity to participate in any extracurricular  
83 activity because the student cannot pay for a meal at school or owes a school meal debt.

84  
85 The Superintendent or designee ensures that federal child nutrition funds are not used to  
86 offset the cost of unpaid meals and that the child nutrition program is reimbursed for debt  
87 for unpaid meals.

88  
89 **IV. DONATED FOODS**

90  
91 The Superintendent, or their designee, will supervise the receiving, storage, and  
92 distribution of all donated foods allocated by the United States Department of Agriculture

93 for the school lunch program in such a manner as will ensure compliance with the terms  
94 and conditions of the agreement.  
95

- 96 Adopted: October 24, 1996
- 97 Amended: September 8, 2005
- 98 Amended: October 8, 2009
- 99 Amended: March 10, 2016
- 100 Amended: June 22, 2017
- 101 Amended: December 16, 2021

102  
103 Legal Refs: 42 U.S.C. §§ 1758, 1772, 1773.

104  
105 7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.

106  
107 Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.7, 22.1-207.2:1,  
108 22.1-207.2:2, 22.1-207.3, 22.1-207:3.1, 22.1-207.4, 22.1-207:4.1, 63.2-1509.

109  
110 8 VAC 20-740-10.

111 8 VAC 20-740-30.

112 8 VAC 20-740-35.

113 8 VAC 20-740-40.

114  
115 U.S. Department of Agriculture, SP 23-2017 *Unpaid Meal Charges: Guidance*  
116 *and Q&A*, March 23, 2017.

117  
118 U.S. Department of Agriculture, SP 47-2016, *Unpaid Meal Charges:*  
119 *Clarification on Collection of Delinquent Meal Payments*, July 8, 2016.

120

121 Cross Refs.:	EF	Food Service Management
122	EFB-R/JHCH-R	School Meals and Snacks
123	EFE	Food Service Records and Reports
124	GAE	Child Abuse and Neglect Reporting
125	IGAE/IGAF	Health Education/Physical Education
126	JHCF	Student Wellness
127	JHCF-R	Student Wellness Guidelines
128	JHCF-R2	Food Allergy Guidelines
129	JL	Fundraising and Solicitation
130	KG	Public Sales on School Property
131	KH	Public Donations to the Schools
132	KH-R	Regulations for Public Donations to the Schools
133	KJ	Advertising in the Schools
134	KQ	Commercial, Promotional, and Corporate Sponsorships and
135		Partnerships

ACPS SCHOOL NUTRITION FOOD SERVICES

I. ASSOCIATED REGULATION: EFB-R/JHCH-R: SCHOOL MEALS AND SNACKS

II. GENERALLY

Alexandria City Public Schools (ACPS) promotes high-quality school meals and snacks, recognizing that students need adequate, nourishing food in order to learn, grow, and maintain good health. It strives to provide an environment conducive to good health by supporting nutrition education and physical education. To reinforce the school division’s nutrition education program, foods sold during regular school hours (on school premises) will follow the Healthy, Hunger-Free Kids Act of 2010.

Additionally, snacks and fundraisers during regular school hours and on school premises will follow the USDA’s Smart Snacks in School standards, unless qualifying for a “competitive foods” exemption as described in Regulation EFB-R/JHCH-R.

III. FREE AND REDUCED PRICE FOOD SERVICES

ACPS provides free and reduced price breakfasts and lunches to students according to the terms of the National School Lunch Program, the National School Breakfast Program, and any other special meal/snack programs identified to meet the needs of our students. School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk at a free and/or reduced cost if state and federal resources for school food programs are available. The Superintendent or designee establishes procedures as needed to implement this policy. These procedures include posting prominently on the ACPS website a web-based application and the option of a paper-based application.

The criteria for determining a student’s eligibility and the procedures for securing free and reduced price meals and milk is publicly announced at the beginning of each school year and made available to parents/guardians of all children in attendance at ACPS through a variety of media platforms.

ACPS eliminates any stigma attached to, and prevents public identification of, students who are eligible for free and reduced priced meals. Students who participate in free and reduced cost meal programs are not overtly identified, distinguished, or served differently than other students.

If any school in the division has a student population that qualifies for free and reduced-price meals at a minimum percentage of 50 percent in the prior school year and simultaneously offers educational or enrichment activities, the School Board applies to the Virginia Department of Education for such school to participate in the Afterschool Meal

Commented [1]: Where can people find this information?

Commented [2R1]: We will see if it can be added to the web page.

Commented [3]: Where can people find this information?

Commented [4R3]: We will see if it can be added to the web page.

Commented [5]: ???

Commented [6R5]: Allergen free meals, meatless, vegan, after school snack program, snacks during the school day, etc.

Commented [7]: Per the VSBA model policy

Commented [8]: This is required under code.

Commented [9]: Is there a procedure for personally following up with families?

Commented [10R9]: also accounting for language barriers?

Commented [11R9]: They follow up with parents when applications are about to expire, work with FACE and social worker on awareness.

46 Program administered by the U.S. Department of Agriculture Food and Nutrition (FNS)  
47 Child and Adult Care Food Program (CACFP) to subsequently and simultaneously serve  
48 federally reimbursable meals, snacks or both, and offer an afterschool education or  
49 enrichment program pursuant to FNS guidelines and state health and safety standards.

Commented [12]: Per the enactment of Va. Code § 22.1-207.4:2

51 **IV. ETHNIC AND RACIAL DATA COLLECTION FOR SFSP AND CACFP MEAL**  
52 **PROGRAMS**

53  
54 In accordance with U.S. Department of Agriculture Food and Nutrition Service (USDA-  
55 FNS) regulations, when possible, ethnic and racial data should be collected about students  
56 and other individuals participating in the Child and Adult Care Food Program and Summer  
57 Food Service Programs. Parents or guardians should be made aware that this information  
58 is to ensure compliance with USDA nondiscrimination requirements. Participant names are  
59 not required, however if the participants are ACPS students then the names may be used to  
60 assist with collection of the data.

61  
62 Aggregate data may be used when individual data cannot be collected. Aggregate data must  
63 be specific to the program's locality. Examples of acceptable aggregate data sources  
64 include local school databases, U.S. Census Quick facts, and the National Center for  
65 Education Statistics Common Core of Data.

Commented [MS13]: New section due to changes in how the data must be gathered.

67 **IV. UNPAID MEAL CHARGES**

68  
69 Students who do not have money on account or in hand to cover the cost of a meal at the  
70 time of service are permitted to charge a full meal in accordance with the procedures  
71 discussed in Regulation EFB-R/JHCH-R. Students who cannot pay for a meal at school or  
72 who owe a school meal debt are not required or directed to throw away or discard a meal  
73 after it has been served to them. Students who cannot pay for a meal are never required  
74 to do chores or other work to pay for such meals and are not publicly identified, including  
75 by the wearing of a wristband or hand stamp.

76  
77 School Nutrition Services (SNS) notifies principals of any unpaid meal charges. Each  
78 school principal or designee notifies the student's parent/guardian in their preferred  
79 language regarding negative account balances according to the procedures in Regulation  
80 EFB-R/JHCH-R. Parents/guardians are expected to pay all meal charges in full by the last  
81 day of the school year.

82  
83 ACPS may solicit and receive any donation or other funds for the purpose of eliminating  
84 or offsetting any school meal debt at any time and will use any such funds solely for such  
85 purpose.

86  
87 ACPS does not deny any student the opportunity to participate in any extracurricular  
88 activity because the student cannot pay for a meal at school or owes a school meal debt.

Commented [14]: Per the amendment of Va. Code § 22.1-79.7

89  
90 The Superintendent or designee ensures that federal child nutrition funds are not used to  
91 offset the cost of unpaid meals and that the child nutrition program is reimbursed for debt

for unpaid meals.

Commented [15]: From the VSBA model policy

VI. DONATED FOODS

The Superintendent, or their designee, will supervise the receiving, storage, and distribution of all donated foods allocated by the United States Department of Agriculture for the school lunch program in such a manner as will ensure compliance with the terms and conditions of the agreement.

Commented [16]: Relocated from EFE - FOOD SERVICE RECORDS AND REPORTS

- Adopted: October 24, 1996
- Amended: September 8, 2005
- Amended: October 8, 2009
- Amended: March 10, 2016
- Amended: June 22, 2017
- Amended: December 16, 2021

- Legal Refs: 42 U.S.C. §§ 1758, 1772, 1773.
- 7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.
- Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.7, 22.1-207.2:1, 22.1-207.2:2, 22.1-207.3, 22.1-207:3.1, 22.1-207.4, 22.1-207:4.1, 63.2-1509.
- 8 VAC 20-740-10.
- 8 VAC 20-740-30.
- 8 VAC 20-740-35.
- 8 VAC 20-740-40.
- U.S. Department of Agriculture, SP 23-2017 *Unpaid Meal Charges: Guidance and Q&A*, March 23, 2017.
- U.S. Department of Agriculture, SP 47-2016, *Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments*, July 8, 2016.

Cross Refs.:	EF	Food Service Management
	EFB-R/JHCH-R	School Meals and Snacks
	EFE	Food Service Records and Reports
	GAE	Child Abuse and Neglect Reporting
	IGAE/IGAF	Health Education/Physical Education
	JHCF	Student Wellness
	JHCF-R	Student Wellness Guidelines
	JHCF-R2	Food Allergy Guidelines
	JL	Fundraising and Solicitation
	KG	Public Sales on School Property
	KH	Public Donations to the Schools
	KH-R	Regulations for Public Donations to the Schools

138	KJ	Advertising in the Schools
139	KQ	Commercial, Promotional, and Corporate Sponsorships and
140		Partnerships

1 **SCHOOL MEALS AND SNACKS**

2  
3 Students need adequate, nourishing food in order to learn, grow, and maintain good health. To  
4 reinforce the school division’s nutrition education program, food sold to students during regular  
5 school hours (on school premises) meets, at a minimum, the requirements established by state and  
6 federal law and regulation, including the Healthy, Hunger-Free Kids Act of 2010.  
7

8 Additionally, snacks and fundraisers during regular school hours and on school premises will  
9 follow the USDA’s Smart Snacks in School standards unless qualifying for a “competitive foods”  
10 exemption as discussed below.  
11

12 **Alexandria City Public Schools (ACPS) promotes high-quality school meals and**  
13 **snacks by:**

- 14
- 15 ● Involving students in the selection, tasting, and marketing of healthy foods and
- 16 beverages that appeal to students;
- 17 ● Providing a variety of food options, such as fruits, vegetables, whole grains, and dairy
- 18 foods, which are low in fat and added sugars;
- 19 ● Offering and promoting a variety of healthy choices that appeal to students that
- 20 includes diverse options from different cultural cuisines;
- 21 ● Restricting student access to unhealthy foods in vending machines, school stores, and
- 22 other venues that compete with healthy school meals; and
- 23 ● Ensuring that healthy snacks and foods are provided in vending machines, school
- 24 stores, and other venues within the division’s control. The healthy options should cost
- 25 the same or less than unhealthy alternatives.  
26

27 **ACPS strives to provide an environment conducive to good health by:**

- 28
- 29 ● Ensuring that access to free drinking water sources is provided throughout the school
- 30 day;
- 31 ● Offering extracurricular physical activity programs, such as physical activity clubs,
- 32 intramural programs, or interscholastic athletics;
- 33 ● Discouraging the promotion and advertising of unhealthy foods; and
- 34 ● Using non-food items rather than food items such as candy, cakes, soda, and foods high
- 35 in fat, as incentives and rewards for good behavior or academic performance.  
36

37

38

39

40

41 **ACPS supports nutrition education and physical education by:**

- 42
- 43 ● Ensuring that qualified nutrition education and physical education specialists focus on
- 44 knowledge and skill development so students are able to learn and adopt healthy
- 45 eating and physical activity behaviors;

- Offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and
- Eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

**I. NUTRITIONAL GUIDELINES**

Meals and snacks offered as part of the National School Lunch Program or the School Breakfast Program meet, at a minimum, the requirements established by state and federal law and regulation, including 8 VAC 20-740-10 through 8 VAC 20-740-40.

Competitive foods, as defined in this regulation, comply with state and federal requirements.

Potable water is available and accessible without restriction to students at no charge during school meal services.

**A. Definitions**

**“Competitive food”** means all food and beverages (other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966) available for sale to students on the school campus during the school day. Competitive food meets the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium. It includes all foods available for sale to students:

- In school cafeterias as a la carte items;
- In vending machines located on the school campus during the school day;
- As fundraisers held on the school campus during the school day;
- In school snack bars on the school campus during the school day;
- In school stores operated on the school campus during the school day by the school, a student association, or other school-sponsored organization;
- At school activities such as special fundraisers, achievement rewards, classroom parties, school celebrations, classroom snacks, or school meetings held on the school campus during the school day; or
- In culinary education programs where food prepared as part of the educational curriculum is sold to students; however, this provision does not apply if food is sold to adults only.

This term does not apply to food a student brings from home for consumption at school or items available for sale to adults only in areas not accessible to students (e.g., teachers lounges).



91 "Excess food" means any remaining unexpired, unopened, and unconsumed food  
92 intended to be served as part of a reimbursable meal that was unable to be utilized  
93 for a current or future meal provision after a school has served breakfast and lunch  
94 to students during a school day.

95  
96 "Fundraiser" means a school-sponsored activity where food or nonfood items are  
97 sold on the school campus during regular school hours by a school-sponsored  
98 organization to raise money for a school-related program or activity. One  
99 fundraiser is defined as one or more fundraising activities by one or more school-  
100 sponsored organizations that last one school day. If multiple school-sponsored  
101 organizations conduct fundraisers on the same day, the combined activities are  
102 counted as one fundraiser. If a fundraising activity lasts more than one school day,  
103 each subsequent day's activity is considered as one fundraiser and counts toward  
104 the total number of permitted fundraisers.

105  
106 "School campus" means all areas of the property under the jurisdiction of the  
107 school that are accessible to students during the school day.

108  
109 "School day" means the period from the midnight before to 30 minutes after the  
110 end of the official school day.

111  
112 B. Excess Food

113  
114 The Office of School Nutrition Services establishes procedures by which excess  
115 food may be distributed, saved for later consumption, or donated.

116  
117 C. Competitive Food

118  
119 ACPS does not limit the frequency of "competitive food" sales (fundraising food  
120 sales) when they meet the nutrition standards specified by the Healthy, Hunger-  
121 Free Kids Act of 2010 and the USDA's Smart Snacks in School standards.

122  
123 D. School Sponsored Fundraisers: During School

124  
125 In accordance with Policy JL, all fundraisers must be approved in advance by the  
126 school principal. All competitive food sold to students on the school campus  
127 during the school day must meet the nutrition standards specified by federal and  
128 state law and regulation.

129  
130 **Exception:** In accordance with the Virginia Board of Education's (VBOE)  
131 *Resolution to Establish and Define Exemptions for School-Sponsored*  
132 *Fundraisers*, each school may conduct the following number of school-sponsored  
133 fundraisers during the school day per school year, during which food that does not  
134 meet the nutrition guidelines for competitive foods may be available for sale to  
135 students.

- 137 • **Elementary Schools: two (2) per school year**
- 138 • **Secondary Schools: one (1) per organization, not to exceed thirty (30)**
- 139 **total per school per school year**

140 As outlined in VBOE regulations, such fundraisers may not be held during  
141 breakfast or lunch periods.

142  
143  
144 E. After-School Fundraisers

145  
146 After the school day, the School Board grants schools the authority to decide what  
147 can be sold at these events when they are outside school hours, and permits  
148 exceptions for fundraisers when foods are not intended for consumption on school  
149 campus, as long as food safety handling and storage guidelines are followed.

150  
151 F. Advertising and Marketing

152  
153 ACPS permits the marketing and advertising of foods only when they meet the  
154 nutrition guidelines for competitive foods, serve to promote student health, reduce  
155 and prevent childhood obesity, and combat problems associated with poor  
156 nutrition and physical inactivity.

157  
158 G. Recordkeeping

159  
160 ACPS is responsible for maintaining records that document compliance with this  
161 policy. Those records include documentation used to assess the nutritional profile  
162 of food items and determine whether a food item is an allowable competitive food,  
163 such as recipes, nutrition labels and/or product specifications for the competitive  
164 food available for sale to students.

165 For food items sold during the school day that are not part of a fundraiser  
166 exemption approved by the principal, ACPS is also responsible for:

- 167
- 168 ● Maintaining records documenting compliance with the competitive food  
169 nutrition standards (for food available for sale in areas that are outside of the  
170 control of the school nutrition programs operations);
- 171 ● Ensuring any organization or school activity designated as responsible for food  
172 service at the various venues in the school, other than the school nutrition  
173 programs, maintains records documenting compliance with the competitive  
174 food nutrition standards;
- 175 ● Maintaining records each school year documenting the number of exempt  
176 fundraisers, if any, conducted at each school within the division; and
- 177 ● Designating an individual at the division or school level to monitor and ensure  
178 compliance with Section I. of this regulation in all areas that are outside the  
179 control of the school nutrition programs operation. The designee may not be a  
180 school nutrition staff member.

181  
182 **II. UNPAID MEAL CHARGES**

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ACPS believes in treating all students with dignity in the serving line regarding meal accounts.

- Students who do not have money on account or in hand to cover the cost of a meal at the time of service are permitted to charge a full meal. (Federal regulations, however, do not allow a la carte items to be charged.) Reasonable efforts are used to avoid calling attention to a student’s inability to pay.
- Students who cannot pay for a meal at school or who owe a school meal debt are not required or directed to throw away or discard a meal after it has been served to them. They are never required to do chores or other work to pay for such a meal or to settle any unpaid meal charges, and will not be publicly identified by wearing a wristband, hand stamp, sticker, or in any other way if they cannot pay for a meal or have an unpaid meal charge. Students who have money in hand to pay for a meal will be provided one even if they have a negative account balance. The money will not be applied toward reducing the balance.

A. Notification

Staff will not communicate directly to students regarding their school meal debt.

School Nutrition Services (SNS) will notify the principal weekly of any student with more than \$30 in unpaid meal charges. For students with a negative account balance of more than \$30, the principal’s designee will notify the parent/guardian weekly by US Mail in the parent’s/guardian’s preferred language. Written notifications will include the amount of unpaid meal charges and information on replenishing the student’s meal accounts, as well as contact information for assistance registering for free and reduced meal benefits. In addition, the principal will designate a member of the school support team to schedule a meeting with the parent/guardian to determine whether the student qualifies for free and reduced meal benefits. If outreach efforts are unsuccessful, further action may be taken to support the student receiving the appropriate services and ensure meal debts are paid.

ACPS’ goal is to ensure the safety of all students. Therefore, ACPS may notify the Department of Social Services of suspected cases of child neglect.

B. Delinquent Accounts

For accounting purposes, delinquent debt (a student meal account with a negative balance) is allowable in the school nutrition program and may be carried over while the student is enrolled in ACPS. However, bad debt, defined as delinquent debt that is deemed uncollectible after the student is no longer enrolled in ACPS, is unallowable in the school nutrition program and cannot be carried over to the next school year.

229 The Superintendent ensures that federal child nutrition funds are not used to offset  
230 the cost of unpaid meals and that the child nutrition program is reimbursed for bad  
231 debt. In order to accomplish this, the following procedures are followed:  
232

- 233 ● Parents/guardians are expected to pay all meal charges in full by the last day  
234 of the school year.
- 235 ● If payment of the negative balance is not received by the end of the school  
236 year, the debt may be turned over to the Superintendent or designee for  
237 collection. If the debt is not paid by the time the student leaves ACPS, it is  
238 considered bad debt for the purposes of federal law concerning unpaid meal  
239 charges.
- 240 ● ACPS does not file lawsuits against a student or the student's  
241 parent/guardian because the student cannot pay for a meal at school or owes  
242 a school debt.  
243

244 ACPS may solicit and receive any donation or other funds for the purpose of  
245 eliminating or offsetting any school meal debt at any time and will use any such  
246 funds solely for such purpose.  
247

#### 248 C. Account Balance Refunds

249  
250 Throughout the school year, parents/guardians may request the transfer or refund  
251 of positive student meal account balances by contacting the Nutrition Services  
252 school manager. On June 30<sup>th</sup> of each year, accounts for all graduating seniors, as  
253 well as for students no longer enrolled in ACPS, will be deemed inactive.  
254 Parents/guardians have up to one year (the following June 30<sup>th</sup>) to request a  
255 transfer or refund of the balance by contacting Nutrition Services. After one year,  
256 the Department of Financial Services may treat remaining account balances as a  
257 donation to the Nutrition Services General Fund.  
258

#### 259 D. Policy Communication

260  
261 This meal charge policy is communicated to all students and parents/ guardians  
262 by:  
263

- 264 ● Posting it on the ACPS website;
- 265 ● Including it in the student welcome packet at the beginning of each school year  
266 and to all transfer students during the school year;
- 267 ● Attaching it to the Free and Reduced Meal Benefits Application; and
- 268 ● Including it with online payment system information materials.  
269

270 In addition, this policy will be communicated to all staff prior to the first day of  
271 school. The Department of Nutrition Services documents its methods of  
272 communicating the policy to households and its training of staff responsible for its  
273 enforcement.  
274

275 Established: June 22, 2017  
 276 Revised: March 7, 2019  
 277 Revised: December 16, 2021  
 278  
 279 Legal Refs: 42 U.S.C. §§ 1758, 1772, 1773.  
 280  
 281 7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.  
 282  
 283 U.S. Department of Agriculture, SP 23-2017 *Unpaid Meal Charges: Guidance*  
 284 *and Q&A*, March 23, 2017.  
 285  
 286 U.S. Department of Agriculture, SP 47-2016, *Unpaid Meal Charges:*  
 287 *Clarification on Collection of Delinquent Meal Payments*, July 8, 2016.  
 288  
 289 Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.7, § 22.1-207.2:1,  
 290 22.1-207.2:2, 22.1-207.3, 22.1-207.4, 22.1-207:4.1, 63.2-1509.  
 291  
 292 8 VAC 20-740-10.  
 293 8 VAC 20-740-30.  
 294 8 VAC 20-740-35.  
 295 8 VAC 20-740-40.  
 296  
 297 Cross Refs: EF Food Service Management  
 298 EFB/JHCH ACPS Food Services  
 299 EFE Food Service Records and Reports  
 300 GAE Child Abuse and Neglect Reporting  
 301 IGAE/IGAF Health Education/Physical Education  
 302 JHCF Student Wellness  
 303 JHCF-R Student Wellness Guidelines  
 304 JHCF-R2 Food Allergy Guidelines  
 305 JL Fundraising and Solicitation  
 306 KG Public Sales on School Property  
 307 KH Public Donations to the Schools  
 308 KH-R Regulations for Public Donations to the Schools  
 309 KJ Advertising in the Schools  
 310 KQ Commercial, Promotional, and Corporate Sponsorships and  
 311 Partnerships



46  
47 **ACPS supports nutrition education and physical education by:**  
48

- 49 ● Ensuring that qualified nutrition education and physical education specialists focus on  
50 knowledge and skill development so students are able to learn and adopt healthy  
51 eating and physical activity behaviors;
- 52 ● Offering nutrition education in the school dining area(s) and in the classroom, with  
53 coordination between food service staff and teachers; and
- 54 ● Eliminating any stigma attached to, and preventing public identification of, students  
55 who are eligible for free and reduced-price meals.  
56

57 **III. NUTRITIONAL GUIDELINES**  
58

59 Meals and snacks offered as part of the National School Lunch Program or the School  
60 Breakfast Program meet, at a minimum, the requirements established by state and federal  
61 law and regulation, including 8 VAC 20-740-10 through 8 VAC 20-740-40.  
62

63 Competitive foods, as defined in this regulation, comply with state and federal  
64 requirements.  
65

66 Potable water is available and accessible without restriction to students at no charge  
67 during school meal services.  
68

69 **A. Definitions**  
70

71 **“Competitive food”** means all food and beverages (other than meals reimbursed  
72 under programs authorized by the National School Lunch Act and the Child  
73 Nutrition Act of 1966) available for sale to students on the school campus during  
74 the school day. Competitive food meets the nutrient guidelines established by the  
75 Board of Education, including the guidelines for calories, fat, sugar and sodium. It  
76 includes all foods available for sale to students:  
77

- 78 ● In school cafeterias as a la carte items;
- 79 ● In vending machines located on the school campus during the school  
80 day;
- 81 ● As fundraisers held on the school campus during the school day;
- 82 ● In school snack bars on the school campus during the school day;
- 83 ● In school stores operated on the school campus during the school day  
84 by the school, a student association, or other school-sponsored  
85 organization;
- 86 ● At school activities such as special fundraisers, achievement rewards,  
87 classroom parties, school celebrations, classroom snacks, or school  
88 meetings held on the school campus during the school day; or
- 89 ● In culinary education programs where food prepared as part of the  
90 educational curriculum is sold to students; however, this provision does  
91 not apply if food is sold to adults only.

92  
93 This term does not apply to food a student brings from home for consumption at  
94 school or items available for sale to adults only in areas not accessible to students  
95 (e.g., teachers lounges).

96  
97 **"Excess food"** means any remaining unexpired, unopened, and unconsumed food  
98 intended to be served as part of a reimbursable meal that was unable to be utilized  
99 for a current or future meal provision after a school has served breakfast and lunch  
100 to students during a school day.

101  
102 **"Fundraiser"** means a school-sponsored activity where food or nonfood items are  
103 sold on the school campus during regular school hours by a school-sponsored  
104 organization to raise money for a school-related program or activity. One  
105 fundraiser is defined as one or more fundraising activities by one or more school-  
106 sponsored organizations that last one school day. If multiple school-sponsored  
107 organizations conduct fundraisers on the same day, the combined activities are  
108 counted as one fundraiser. If a fundraising activity lasts more than one school day,  
109 each subsequent day's activity is considered as one fundraiser and counts toward  
110 the total number of permitted fundraisers.

111  
112 **"School campus"** means all areas of the property under the jurisdiction of the  
113 school that are accessible to students during the school day.

114  
115 **"School day"** means the period from the midnight before to 30 minutes after the  
116 end of the official school day.

117  
118 B. Excess Food

119  
120 The Office of School Nutrition Services establishes procedures by which excess  
121 food may be distributed, saved for later consumption, or donated.

122  
123 C. Competitive Food

124  
125 ACPS does not limit the frequency of "competitive food" sales (fundraising food  
126 sales) when they meet the nutrition standards specified by the Healthy, Hunger-  
127 Free Kids Act of 2010 and the USDA's Smart Snacks in School standards.

128  
129 D. School Sponsored Fundraisers: During School

130  
131 In accordance with Policy JL, all fundraisers must be approved in advance by the  
132 school principal. All competitive food sold to students on the school campus  
133 during the school day must meet the nutrition standards specified by federal and  
134 state law and regulation.



136 **Exception:** In accordance with the Virginia Board of Education's (VBOE)  
137 *Resolution to Establish and Define Exemptions for School-Sponsored*  
138 *Fundraisers*, each school may conduct the following number of school-sponsored  
139 fundraisers during the school day per school year, during which food that does not  
140 meet the nutrition guidelines for competitive foods may be available for sale to  
141 students.

- 142
- 143 • **Elementary Schools: two (2) per school year**
- 144 • **Secondary Schools: one (1) per organization, not to exceed thirty (30)**  
145 **total per school per school year**
- 146

147 As outlined in VBOE regulations, such fundraisers may not be held during  
148 breakfast or lunch periods.

149 E. After-School Fundraisers

151 After the school day, the School Board grants schools the authority to decide what  
152 can be sold at these events when they are outside school hours, and permits  
153 exceptions for fundraisers when foods are not intended for consumption on school  
154 campus, as long as food safety handling and storage guidelines are followed.

155 F. Advertising and Marketing

156 ACPS permits the marketing and advertising of foods only when they meet the  
157 nutrition guidelines for competitive foods, serve to promote student health, reduce  
158 and prevent childhood obesity, and combat problems associated with poor  
159 nutrition and physical inactivity.

160 G. Recordkeeping

161 ACPS is responsible for maintaining records that document compliance with this  
162 policy. Those records include documentation used to assess the nutritional profile  
163 of food items and determine whether a food item is an allowable competitive food,  
164 such as recipes, nutrition labels and/or product specifications for the competitive  
165 food available for sale to students.

166 For food items sold during the school day that are not part of a fundraiser  
167 exemption approved by the principal, ACPS is also responsible for:

- 168 • Maintaining records documenting compliance with the competitive food  
169 nutrition standards (for food available for sale in areas that are outside of the  
170 control of the school nutrition programs operations);
- 171 • Ensuring any organization or school activity designated as responsible for food  
172 service at the various venues in the school, other than the school nutrition  
173 programs, maintains records documenting compliance with the competitive  
174 food nutrition standards;

- Maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school within the division; and
- Designating an individual at the division or school level to monitor and ensure compliance with Section I. of this regulation in all areas that are outside the control of the school nutrition programs operation. The designee may not be a school nutrition staff member.

#### IV. UNPAID MEAL CHARGES

ACPS believes in treating all students with dignity in the serving line regarding meal accounts.

- Students who do not have money on account or in hand to cover the cost of a meal at the time of service are permitted to charge a full meal. (Federal regulations, however, do not allow a la carte items to be charged.) Reasonable efforts are used to avoid calling attention to a student’s inability to pay.
- Students who cannot pay for a meal at school or who owe a school meal debt are not required or directed to throw away or discard a meal after it has been served to them. They are never required to do chores or other work to pay for such a meal or to settle any unpaid meal charges, and will not be publicly identified by wearing a wristband, hand stamp, sticker, or in any other way if they cannot pay for a meal or have an unpaid meal charge. Students who have money in hand to pay for a meal will be provided one even if they have a negative account balance. The money will not be applied toward reducing the balance.

##### A. Notification

~~Staff will not communicate directly to students regarding their school meal debt.~~

Commented [2]: Moved up to improve readability.

School Nutrition Services (SNS) will notify the principal ~~weekly daily~~ of any ~~student with more than \$30 in~~ unpaid meal charges. For students with a negative account balance ~~of more than \$30~~, the principal’s designee will notify the parent/guardian weekly ~~by US Mail~~ in the parent’s/guardian’s preferred language. ~~Staff will not communicate directly to students regarding their school meal debt. After ten (10) meals have been charged, the principal will notify the parent/guardian by U.S. mail.~~ Written notifications will include the amount of unpaid meal charges and information on replenishing the student’s meal accounts, as well as contact information for assistance registering for free and reduced meal benefits. In addition, the principal will designate a member of the school support team to schedule a meeting with the parent/guardian to determine whether the student qualifies for free and reduced meal benefits. If outreach efforts are unsuccessful, further action may be taken ~~to support the student receiving the appropriate services and ensure meal debts are paid.~~

Commented [3]: This has been replaced with a dollar value.

ACPS' goal is to ensure the safety of all students. Therefore, ACPS may notify the Department of Social Services of suspected cases of child neglect.

#### B. Delinquent Accounts

For accounting purposes, delinquent debt (a student meal account with a negative balance) is allowable in the school nutrition program and may be carried over while the student is enrolled in ACPS. However, bad debt, defined as delinquent debt that is deemed uncollectible after the student is no longer enrolled in ACPS, is unallowable in the school nutrition program and cannot be carried over to the next school year.

The Superintendent ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt. In order to accomplish this, the following procedures are followed:

- Parents/guardians are expected to pay all meal charges in full by the last day of the school year.
- If payment of the negative balance is not received by the end of the school year, the debt may be turned over to the Superintendent or designee for collection. If the debt is not paid by the time the student leaves ACPS, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.
- ACPS does not file lawsuits against a student or the student's parent/guardian because the student cannot pay for a meal at school or owes a school debt.

ACPS may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose.

#### C. Account Balance Refunds

Throughout the school year, parents/guardians may request the transfer or refund of positive student meal account balances by contacting the Nutrition Services school manager. On June 30<sup>th</sup> of each year, accounts for all graduating seniors, as well as for students no longer enrolled in ACPS, will be deemed inactive. Parents/guardians have up to one year (the following June 30<sup>th</sup>) to request a transfer or refund of the balance by contacting Nutrition Services. After one year, the Department of Financial Services may treat remaining account balances as a donation to the Nutrition Services General Fund.

#### D. Policy Communication

270 This meal charge policy is communicated to all students and parents/ guardians  
271 by:

- 272
- 273 ● Posting it on the ACPS website;
- 274 ● Including it in the student welcome packet at the beginning of each school year  
275 and to all transfer students during the school year;
- 276 ● Attaching it to the Free and Reduced Meal Benefits Application; and
- 277 ● Including it with online payment system information materials.
- 278

279 In addition, this policy will be communicated to all staff prior to the first day of  
280 school. The Department of Nutrition Services documents its methods of  
281 communicating the policy to households and its training of staff responsible for its  
282 enforcement.

283

284 Established: June 22, 2017  
285 Revised: March 7, 2019  
286 Revised: December 16, 2021

287

288 Legal Refs: 42 U.S.C. §§ 1758, 1772, 1773.

289

290 7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.

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292 U.S. Department of Agriculture, SP 23-2017 *Unpaid Meal Charges: Guidance*  
293 *and Q&A*, March 23, 2017.

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295 U.S. Department of Agriculture, SP 47-2016, *Unpaid Meal Charges:*  
296 *Clarification on Collection of Delinquent Meal Payments*, July 8, 2016.

297

298 Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.7, § 22.1-207.2:1,  
299 22.1-207.2:2, 22.1-207.3, 22.1-207.4, 22.1-207:4.1, 63.2-1509.

300

301 8 VAC 20-740-10.

302 8 VAC 20-740-30.

303 8 VAC 20-740-35.

304 8 VAC 20-740-40.

305

306 Cross Refs: EF Food Service Management  
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313 JHCF-R2 Food Allergy Guidelines  
314 JL Fundraising and Solicitation  
315 KG Public Sales on School Property

**File: EFB-R/JHCH-R**

316	KH	Public Donations to the Schools
317	KH-R	Regulations for Public Donations to the Schools
318	KJ	Advertising in the Schools
319	KQ	Commercial, Promotional, and Corporate Sponsorships and
320		Partnerships

1  
2 **FOOD SANITATION PROGRAM**  
3

4 The personnel and the facilities used for food services in the school division are subject to state  
5 laws regulating restaurants and other food establishments. School dining facilities are also  
6 governed by regulations promulgated by the State Board of Health.  
7

8 § Adopted: October 24, 1996

10 Revised: April 26, 2007

11 Affirmed: March 10, 2016

12 Amended: December 5, 2019

13  
14 Legal Refs.: Code of Virginia, 1950, as amended, § 35.1-1.

15  
16 12 VAC 5-421-10 et seq.

17  
18 Cross Refs.: EF Food Service Management

19 EFB Food Services

20 EFE Food Service Records and Reports

**FOOD SERVICE RECORDS AND REPORTS**

~~From time to time, the Superintendent, or his/her/their designee, shall reports to the School Board on the financial status of the division's food service operations.~~

~~The Superintendent, or his/her/their designee, will supervise the receiving, storage, and distribution of all donated foods allocated by the United States Department of Agriculture for the school lunch program in such a manner as will ensure compliance with the terms and conditions of the agreement.~~

~~Adopted: — October 24, 1996~~

~~Amended: — September 8, 2005~~

~~Amended: — June 11, 2015~~

~~Legal Refs.: — Code of Virginia, 1950, as amended, sections 22.1-24, 22.1-70, 22.1-89.1, 22.1-115.~~

**Commented [1]:** There is no VSBA model policy EFE

**Commented [2]:** This is redundant with EF

**Commented [3]:** Recommend this be moved to EFB and policy EFE be retired.

**INSTRUCTIONAL MATERIALS**

The Alexandria City School Board believes that instructional materials should be carefully selected to support the division’s high-quality instructional program and should be culturally responsive to the diverse needs of Alexandria City Public Schools (ACPS) students and staff.

The Board is responsible for the selection and use of instructional materials.

The Superintendent or Superintendent’s designee creates, as necessary, guidelines and procedures for the selection of instructional materials. The guidelines and procedures are designed to ensure that appropriate instructional materials are selected and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials.

The procedures for selection and evaluation of instructional materials involves an evaluation committee which should include professional staff, citizens, and when appropriate, students, and should include a procedure for citizens to request reconsideration of instructional materials. These procedures offer a thorough and efficient approach which ensures that ACPS selects appropriate instructional materials, and provides an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials.

The School Board reviews and approves guidelines and procedures for the selection, evaluation, approval, and use of instructional materials.

On request, parents may inspect any instructional material used as part of their student’s curriculum.

As required by Virginia law, The Board ensures parental notification of any instructional material that includes sexually explicit content.

ACPS provides non explicit instructional material and related academic activities to any student whose parent requests that the student be provided with such instructional material and/or activities.

The Superintendent is responsible for creating, implementing, and periodically updating procedures for implementing this policy. Those procedures will include

- a process for identifying instructional materials, including supplementary materials, with sexually explicit content;
- a process for identifying, prior to the start of each school year, any instructional material that includes sexually explicit content that may be used during the upcoming school year;
- a process by which principals will provide written notice to parents at least 30 days prior to the use of any instructional materials with sexually explicit content, that (a) specifically identifies the instructional materials with sexually explicit content, (b) informs parents of their right to review such instructional materials, and (c) informs parents of their right to have their child use, upon request, in a non-punitive manner, alternative instructional materials that do not include sexually explicit content;



- 47 ● a process by which parents may change their decision with respect to the use of alternative  
48 instructional materials by providing written notice;
- 49 ● a process for maintaining a current list of instructional materials with sexually explicit  
50 content by grade and subject matter on the division’s website; and
- 51 ● a process for online access for parental review of instructional materials that include  
52 sexually explicit content unless such review is not technically feasible or is prohibited by  
53 copyright protection. The process shall include provisions requiring schools to have  
54 instructional materials including sexually explicit content available for review by parents.  
55

56 Definitions

57  
58 “Completion of an assignment” means that the student received an assignment to use a specific  
59 resource.  
60

61 “Instructional material” and “instructional materials” mean any content used by one or more  
62 students for an educational purpose in connection with ACPS regardless of (a) its format, whether  
63 printed, representational, audiovisual, electronic, or digital (such as materials, social media  
64 content, and software applications accessible through the internet), or (b) the time, place and  
65 manner in which the content is used. Library materials are considered instructional materials when  
66 used (a) for completion of an assignment from ACPS, or (b) as part of an academic or  
67 extracurricular education program conducted by ACPS. They include any division, school, and/or  
68 classroom purchased or created assessments. They do not include standardized national or state  
69 assessments, such as ACT, SAT, NAEP (National Assessment of Educational Progress), AP  
70 (Advanced Placement) or SOL (Standards of Learning) exams.  
71

72 “Nudity” means a state of undress so as to expose the human male or female genitals, pubic area  
73 or buttocks with less than a full opaque covering, or the showing of the female breast with less  
74 than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of  
75 covered or uncovered male genitals in a discernibly turgid state.  
76

77 “Parent” or “parents” means any parent, guardian, legal custodian, or other person having control  
78 or charge of a child.  
79

80 “Somasochistic abuse” means actual or explicitly simulated flagellation or torture by or upon a  
81 person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being  
82 fettered, bound or otherwise physically restrained on the part of one so clothed.  
83

84 "Sexually explicit content" means (a) any description of or (b) any picture, photograph, drawing,  
85 motion picture film, digital image or similar visual representation depicting sexual bestiality, a  
86 lewd exhibition of nudity, as defined in this policy, sexual excitement, sexual conduct or  
87 somasochistic abuse, as defined in this policy, coprophilia, urophilia, or fetishism. Instructional  
88 materials shall not be designated as sexually explicit based solely on the sexual orientation of the  
89 characters therein. Descriptions do not necessarily include all references, but should involve more  
90 detail in their account in order to be designated as sexually explicit.  
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Adopted: January 9, 1997  
Amended: July 1, 2005  
Amended: January 22, 2015

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-239,  
8 VAC 20-720-170

Cross Ref.: IIAA Textbook Adoption and Selection  
IIAB Supplementary Materials Selection and Adoption  
IGAH Family Life Education  
IGIIBD School Libraries/Media Centers  
IIBEA/GAB Acceptable Computer System Use  
INB Teaching About Controversial Issues  
JOB Administration of Surveys and Questionnaires  
KLB Public Complaints About Learning Resources  
BC Parent and Family Engagement

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~~The School Board reviews and approves guidelines and procedures for the selection, evaluation, approval, and use of instructional materials.~~

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- a process for identifying instructional materials, including supplementary materials, with sexually explicit content;
- a process for identifying, prior to the start of each school year, any instructional material that includes sexually explicit content that may be used during the upcoming school year;

**Commented [1]:** Include that materials should be include culturally responsive materials and consideration of the diverse needs for students and staff.

**Commented [2]:** I agree with adding something to this policy about instructional materials being culturally responsive.

**Commented [3]:** Added a board belief statement

**Commented [4]:** Realigned to the VSBA model policy

**Commented [5]:** ACPS content, not part of the model policy

**Commented [6]:** I think this could be moved to the regulation

**Commented [7]:** Since there is no current regulation we are going to leave it here for now. If a regulation is created the content can be moved.

**Commented [8]:** Should we add a subheading for this section of the policy?

**Commented [9]:** is this necessary and what would constitute a supplementary material?

**Commented [10]:** This is from the model policy.

**Commented [11]:** Is this reasonable? Many teachers determine assigned texts based on the needs of the class, which can't be determined before instruction starts.

**Commented [12]:** This is from the model policy

- a process by which principals will provide written notice to parents at least 30 days prior to the use of any instructional materials with sexually explicit content, that (a) specifically identifies the instructional materials with sexually explicit content, (b) informs parents of their right to review such instructional materials, and (c) informs parents of their right to have their child use, upon request, in a non-punitive manner, alternative instructional materials that do not include sexually explicit content;
- a process by which parents may change their decision with respect to the use of alternative instructional materials by providing written notice;
- a process for maintaining a current list of instructional materials with sexually explicit content by grade and subject matter on the division’s website; and
- a process for online access for parental review of instructional materials that include sexually explicit content unless such review is not technically feasible or is prohibited by copyright protection. The process shall include provisions requiring schools to have instructional materials including sexually explicit content available for review by parents.

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“Nudity” means a state of undress so as to expose the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered or uncovered male genitals in a discernibly turgid state.

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

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**Commented [13]:** Revisions from the updated VSBA model policy. Updates are due to the adoption SB 656 of <https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB656>

**Commented [14]:** Can you provide a link to the VDOE model policy for this legislation?

**Commented [15]:** <https://doe.virginia.gov/instruction/modeled-policies-concerning-instructional-materials-with-sexually-explicit-content.pdf>

**Commented [16]:** ACPS interpretations.

**Commented [17]:** Library materials are considered instructional materials when assigned and curated for (a) completion of an assignment from ACPS, or (b) as part of an academic or extracurricular program conducted by ACPS.

sadomasochistic abuse, as defined in this policy, coprophilia, urophilia, or fetishism. Instructional materials shall not be designated as sexually explicit based solely on the sexual orientation of the characters therein. Descriptions do not necessarily include all references, but should involve more detail in their account in order to be designated as sexually explicit.

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**Commented [21]:** Added to model policy to provide clarity.

Adopted: January 9, 1997  
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KLB Public Complaints About Learning Resources  
BC Parent and Family Engagement

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## TEXTBOOK SELECTION AND ADOPTION

The Alexandria City Public Schools Board (ACPS Board) may adopt textbooks, including print or electronic media, for student use that serve as the primary curriculum basis for a grade-level subject or course from the list of textbooks approved by the State Board of Education. The ACPS Board may also adopt books which are not on the state-adopted list in accordance with State Board of Education regulations

In approving textbooks, the Board

- appoints evaluation committees to review and evaluate textbooks, the committee must be representative of the central office supervisory staff, building administrators, and classroom teachers of the subject fields in which the adoptions are made,
- gives notice to parents that textbooks under consideration will be listed on the division's website and made available at designated locations for review by any interested citizens,
- creates opportunities for persons reviewing such textbooks to present their comments and observations to the School Board,
- creates procedures to ensure appropriate consideration of citizen comments and observations and
- establishes and makes known selection criteria, to include cultural responsiveness.

### **Textbooks Approved by the Virginia Board of Education:**

The ACPS Board may either enter into written term-contracts or issue purchase orders with publishers of textbooks approved by the State Board of Education. Such written contracts or purchase orders are exempt from the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq.*). The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States. If, subsequent to the date of any contract entered into by the ACPS Board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in Virginia, the publisher shall grant the same reduction or terms to the ACPS Board and give the ACPS Board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

Contracts and purchase orders with publishers of textbooks approved by the State Board of Education shall require the publisher to furnish an electronic file of the textbook in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular textbook may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS file of the textbook on or before the date of delivery of the regular text version.

Contracts and purchase orders with publishers of textbooks approved by the State Board of Education for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of

47 the same textbook. The ACPS Board may purchase an assortment of textbooks in any of the three  
48 forms listed above.

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50 The ACPS Board shall order directly from the respective publishers the textbooks needed to supply  
51 the public schools in the school division. The publishers shall ship the textbooks to the ACPS  
52 Board. The purchase price of such textbooks shall be paid directly to the publishers by the ACPS  
53 Board.

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56 **Locally-Approved Textbooks:**

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58 In approving textbooks that have not been approved by the State Board of Education, the ACPS  
59 Board will also include a correlation of the content to the Virginia Standards of Learning in the  
60 content area and an analysis of strengths and weaknesses of the textbook in terms of instructional  
61 planning and support when the textbooks pertain to Virginia Standards of Learning subjects.

62  
63 The publishers of such textbooks must  
64     • provide the ACPS Board with certification that the content of the textbook is accurate and  
65     • sign an agreement with the ACPS Board to correct all factual and editing errors found at  
66         its own expense.

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68 The purchase of textbooks other than those approved by the State Board of Education is not exempt  
69 from the Virginia Public Procurement Act.

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74 Adopted:     January 9, 1997  
75 Amended:    July 1, 2005  
76 Amended:    April 15, 2015

77  
78 Legal Refs.:  
79  
80               Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-241.  
81               8 VAC 20-720-170.

82  
83 Cross Ref.:   DJF    Purchasing Procedures  
84                IIA    Instructional Materials  
85                KQ    Commercial, Promotional, and Corporate Sponsorships and Partnerships

**TEXTBOOK SELECTION AND ADOPTION**

The ~~Alexandria City Public Schools Board (ACPS Board) School Board may shall~~ adopt textbooks, including print or electronic media, for student use that serve as the primary curriculum basis for a grade-level subject or course from the list of textbooks approved by the State Board of Education for student use that serve as the primary curriculum basis subject to regulations of the State Board of Education. The State Board of Education adopts a multiple list of textbooks for each grade level and subject, from which local boards adopt textbooks for use in local school divisions. ~~Local~~ The School-ACPS Boards may also adopt books which that are not on the state-adopted list in accordance with State Board of Education regulations, provided the selection is in accordance with specified guidelines.

**In approving textbooks, the Board**

- appoints evaluation committees to review and evaluate textbooks, the committee must be representative of the central office supervisory staff, building administrators, and classroom teachers of the subject fields in which the adoptions are made,
- gives notice to parents that textbooks under consideration will be listed on the division's website and made available at designated locations for review by any interested citizens,
- creates opportunities for persons reviewing such textbooks to present their comments and observations to the School Board,
- creates procedures to ensure appropriate consideration of citizen comments and observations and
- establishes and makes known selection criteria, to include cultural responsiveness.

~~The School Board will adopt textbooks for use in the local division based upon recommendations presented by the Superintendent. A committee appointed by the Superintendent or his/her designee shall appoint a committee to conduct the evaluation of textbooks. [The committee shall be representative of the central office supervisory staff, building administrators, and classroom teachers of the subject fields in which the adoptions are to be made.~~

**Textbooks Approved by the Virginia Board of Education:**

The ~~ACPS Board Alexandria City Public Schools Board (ACPS Board)~~ may either enter into written term-contracts or issue purchase orders with publishers of textbooks approved by the State Board of Education. Such written contracts or purchase orders are exempt from the Virginia Public Procurement Act (Va. Code § 2.2-4300 *et seq.*). The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States. If, subsequent to the date of any contract entered into by the ~~School-ACPS~~ Board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in Virginia, the publisher shall grant the same reduction or terms to the ~~ACPS School~~ Board and give the ~~ACPS School~~ Board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

**Commented [1]:** Include culturally responsive textbooks, should be selected after reviewed with an equity lens to not alienate or demean a race, ethnicity, or any other marginalized group. This should fall under the selection process.

**Commented [2]:** What if we revise that last bullet to say something like, "establishes and makes known selection criteria, to include cultural responsiveness"?

**Commented [3]:** Done

**Commented [4]:** This policy uses the term ACPS Board for clarity as sections also reference the State Board of Education.

**Commented [5]:** Could we change this to "resource" or "instructional resource"?

**Commented [6]:** Moved up to align with the VSBA Model Policy

**Commented [7]:** The code states that the Board appoints the committee.

**Commented [8]:** Moved up to the bullet that describes the evaluation committee.



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64 Board. The purchase price of such textbooks shall be paid directly to the publishers by the ACPS  
65 Board.

Commented [9]: From the VSBA model policy. While it is mostly directed at the State, its good information on requirements of publishers.

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73 textbook in terms of instructional planning and support when the textbooks pertain to Virginia  
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91 observations to the School Board,

- 92 ~~• Create procedures to ensure appropriate consideration of citizen comments and~~
- 93 ~~observations, and~~
- 94 ~~• Establish and make known selection criteria.~~
- 95
- 96 Adopted: January 9, 1997
- 97 Amended: July 1, 2005
- 98 Amended: April 15, 2015
- 99
- 100 Legal Refs.: ~~Constitution of Virginia, Art. VIII, section 3~~
- 101 Code of Virginia, 1950, as amended, §§ 22.1-238, 22.1-241.
- 102 8 VAC 20-720-170.
- 103
- 104
- 105 Cross Ref.: DJF Purchasing Procedures
- 106 IIA Instructional Materials
- 107 KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

**Commented [10]:** Moved up to align with the VSBA model policy.

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**SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION**

The School Board delegates the responsibility for the selection and use of supplementary materials to the individual schools working in collaboration with the Alexandria City Public Schools (ACPS) Department of Curriculum and Instruction. Selection and use must be in accordance with policies and regulations of ACPS and the State Board of Education. The same care shall be exercised in the selection of supplementary materials as in the selection of other types of instructional materials.

Materials used by students under the guidance of teachers to extend, expand, and supplement core-required materials such as print and electronic textbooks constitute an integral part of the instructional program. Supplementary materials are those items which are used to assist the teaching and learning process and include such items as magazines, newspapers, charts, globes, pictures, workbooks, kits, videos, electronic tutorials, models and manipulatives, and games that reinforce student achievement of designated curriculum standards.

Materials selected for supplemental use must be reviewed for cultural responsiveness and must relate directly to the established objectives of the course or content area in which they are used. In anticipation of using supplementary materials, teachers must carefully review materials prior to use, and exercise a high degree of professional judgment in their selection and use of supplementary materials, to ensure that the use of such materials serves to both support and complement the basic educational objectives within the specific subject areas and classrooms. Teachers must follow the superintendent’s procedures required by Policy IIA Instructional Materials when selecting supplemental materials.

- Adopted: January 9, 1997
- Amended: July 1, 2005
- Amended: January 22, 2015

- Legal Refs.: Code of Virginia, 1950, as amended. §§ 22.1-78
- 8 VAC 20-720-160.

- Cross Refs.: IIA Instructional Materials
- IIAA Textbook Selection, Adoption, and Purchase
- KLB Public Complaints About Learning Resources
- KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

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Legal Refs.: ~~Code of Virginia~~ Code of Virginia, 1950, as amended. §§ ~~22.1-78~~ 22.1-78, 22.1-238,  
8 VAC 20-720-160 VAC 20-720-160.

Cross Refs.: IIA Instructional Materials  
IIAA Textbook Selection, Adoption, and Purchase  
KLB Public Complaints About Learning Resources  
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**Commented [1]:** Again add about selecting culturally responsive materials and maybe there should be administrative oversight for somethings to support being culturally responsive.

**Commented [2]:** Added per feedback from the Equity Audit Team

**Commented [3]:** Change from the VSBA Model Policy in response to the Sexually Explicit Materials VDOE model policy.