

Date: December 9, 2020  
For ACTION \_\_\_\_\_  
For INFORMATION   X    
Board Agenda: Yes   X    
No \_\_\_\_\_

**FROM:** Jennifer Abbruzzese, Director of Policy & Board Initiatives

**THROUGH:** Stephen M. Wilkins, Ed.D., Chief of Staff  
Gregory C. Hutchings, Jr., Ed.D., Superintendent of Schools

**TO:** The Honorable Cindy Anderson, Chair, and  
Members of the Alexandria City School Board

**TOPIC:** Revisions to G, C & K (Personnel and Law Enforcement-Related) Policies and  
Regulations

**ACPS 2025 STRATEGIC PLAN GOAL:**

Goal 1: Systemic Alignment

**SUMMARY:**

As part of the Board’s continuing policy review cycle, ten personnel and law enforcement-related policies and regulations from the classifications below are proposed for revision.

G Policies: Personnel

C Policies: General School Administration

K Policies: School-Community Relations

These revisions are primarily driven by changes to the Code of Virginia and Virginia Board of Education regulations. However, some have also been initiated by ACPS to either reflect current practice or the changing needs of the school division. Finally, some have been included to comply with the state of Virginia’s five-year policy review requirement.

The following chart outlines the policy and regulatory revisions:

<b>December 2020 Policy Work Session</b>
<b>Light Blue Fill = ≥ 5 Years Since Policy Last Reviewed</b>
<b>Yellow Fill = ACPS-Initiated Revision</b>
<b>White Fill = Statutory/Regulatory Revision</b>

Policy/ Reg.	Title	Statute/ Reg. Revised	ACPS Last Revised	Revision
<b>Personnel Policies (G)</b>				
<b>GAAB</b>	Telework	N/A	March 2018	Updated to differentiate between individual telework requests and mass telework events.
<b>GAAB-R</b>	Telework Regulations	N/A	March 2018	Updated to differentiate between individual telework requests and mass telework events.
<b>GAAB Notes:</b>	The previous telework policy only addressed individual requests for telework, not mass telework events like ACPS is currently experiencing			
<b>GBD/BG (MERGED with GBB)</b>	Board-Staff Communications	Feb 2019	Dec 2019; discussed further at 1/30/20 work session	Updated to reflect feedback from the 1/30/20 work session. . <a href="#">Link to former Policy GBB</a> for reference.
<b>GBD/BG Notes:</b>	Policy GBB was deleted in February 2020 to be merged with Policy GBD/BG. Blue text reflects language formerly located in Policy GBB and other revisions presented at the 1/30/20 School Board Work Session. Orange text reflects additions requested at or since that Work Session. This policy was scheduled to return to the Board for consent in March 2020, but was delayed due to the school closure.			
<b>GBEA</b>	Unlawful Manufacture, Distribution, Dispensing, Possession or Use of a Controlled Substance	Feb 2020 (VSBA)	Dec 2015	Updated to reflect 41 U.S.C. §§ 8103 and 8104.
<b>GBEA Notes:</b>	Revisions made to align with current language in 21 U.S.C. § 812 and 41 U.S.C. §§ 8103 and 8104, including the definition of "controlled substance." The legal definition includes anabolic steroids. Alcohol is not considered a "controlled substance" so it is addressed separately to distinguish it from "controlled substances," which are the focus of the policy. Prohibited possession/use of alcohol on school property is governed by Va. Code 4.1-309, and is addressed in Policies KGB and CLA.			

<b>GCD A</b>	Effect of Criminal Conviction or Founded Complaint of Child Abuse or Neglect	May 2020	Feb 2020	Policy updated to reflect amendment of Va. Code § 22.1-296.1 by HB 392.
<b>GCD A Notes:</b>	The amendment of Va. Code 22.1-296.1 prohibits each school board from employing any individual who has been convicted of a <u>violent</u> felony set forth in the definition of barrier crime in subsection A of § 19.2-392.02 of the Code of Virginia or any offense involving the sexual molestation, physical or sexual abuse, or rape of a child. It <u>permits but does not require</u> each school board to employ any individual who has been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of § 19.2-392.02 of the Code of Virginia and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, <u>provided that</u> in the case of a felony conviction, such individual has had his/her civil rights restored by the Governor. There are parallel provisions for contractors and their employees who have <u>direct contact</u> with students on school property during regular school hours or during school-sponsored activities. The law previously provided that <u>any</u> felony conviction is a bar to employment and contract work in public schools.			
<b>GCL</b>	Professional Staff Development	May 2020	Feb 2020	Policy updated to reflect enactment of Va. Code § 22.1-298.6 by HB 74/SB 619.
<b>GCL Notes:</b>	Va. Code § 22.1-298.6 requires each school board to adopt and implement policies that require each teacher and other relevant personnel, as determined by the School Board, employed on a full-time basis, to complete a mental health awareness training or similar program. It requires each school board to provide such training and provides that a school board may contract with the Department of Behavioral Health and Developmental Services, a community services board, a behavioral health authority, a nonprofit organization, or other certified trainer to provide such training. Such training <u>may</u> be provided via an online module.			
<b>GCPD</b>	Licensed Staff Discipline	May 2020	June 2016	Policy updated to reflect amendment of Va. Code § 22.1-307 by HB 570/SB 167.
<b>GCPD Notes:</b>	Amendment of Va. Code 22.1-307 removed the definition of "incompetency" for the purpose of establishing grounds for the dismissal of public school teachers. It remains a basis for dismissal, but the definition was stricken.			
<b>GDQ</b>	School Bus Drivers	Feb 2020 (VSBA)	Dec 2015	Updated to align with 49 C.F.R. §§ 40.305, 382.209, 382.605 and 382.701
<b>GDQ Notes:</b>	This policy has been revised to reflect the current requirements of the legal references listed at the bottom of this policy, particularly: 49 C.F.R. §§ 40.305, 382.209, 382.605, and 382.701. Stricken text from "Required Testing" section now addressed in the "Eligibility for Employment" section. New text in			

	the "Notification" section addresses the requirements of 49 CFR § 382.601.			
<b>Policies Related to Law Enforcement</b>				
<b>CLA</b>	Reporting Acts of Violence and Substance Abuse	May 2020	Dec 2018	Policy updated to reflect amendment of Va. Code § 22.1-279.3:1 by HB 257/SB 729.
<b>CLA Notes:</b>	Amendment of Va. Code 22.1-279.3:1 eliminates the requirement for school principals to report to the local law-enforcement agency certain acts enumerated that constitute a misdemeanor offense. Requires that when the principal reports any act to the parents of any minor student, the principal shall report whether the incident has been reported to local law enforcement.			
<b>KNAJ</b>	Relations with Law Enforcement Authorities	May2020 July 2020	July 2011	Policy updated to reflect amendment of Va. Code § 22.1-279.3:1 by HB 257 and Va. Code § 22.1-280.2:3 by HB 292/SB 221. Further updated to reflect new regulations adopted by the Virginia Board of Education, effective 1/1/21.
<b>KNAJ Notes:</b>	Amendment of Va. Code 22.1-279.3:1 eliminates the requirement for school principals to report to the local law-enforcement agency certain acts enumerated that constitute a misdemeanor offense. Requires that when the principal reports any act to the parents of any minor student, the principal shall report whether the incident has been reported to local law enforcement. Amendment of Va. Code 22.1-280.2:3 shortens from every five years to every two years the frequency of the review period for memorandums of understanding between school boards and local law-enforcement agencies. The bill also requires local school boards to conspicuously publish the current division memorandum of understanding on its website and provide notice and opportunity for public input during each memorandum of understanding review period. New regs. adopted by VBOE effective 1/1/21 require the MOU to address the use of seclusion and restraint in school settings.			

**BACKGROUND:**

The Code of Virginia § 22.1-253.13:7 and Policy BF require the School Board to maintain and follow up-to-date policies, and that all policies shall be reviewed at least every five years and revised as needed.

**RECOMMENDATION:**

The Superintendent recommends the School Board review the attached revisions to personnel and law enforcement-related policies and regulations.

**IMPACT:**

By reviewing policies periodically, the School Board ensures that ACPS operations are aligned to

support excellence and high performance.

**ATTACHMENTS:**

Revisions to G, C and K policies and regulations listed above

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