

Memorandum

TO: ACPS School Board Policy Subcommittee
FROM: Matt Smith, Policy Services Consultant
DATE: December 2, 2022
SUBJECT: Proposed Policy Revisions

Staff are proposing revisions to the following policies:

- CLA - Reporting Acts of Violence and Substance Abuse
- EF - Food Service Management
- EFB-R/JHCH-R - School Meals and Snacks
- EFB/JHCH - ACPS Food Services
- EFD - Food Sanitation Program
- EFE - Food Service Records and Reports
- IEC - Bill of Rights
- IGBA - Programs for Students with Disabilities
- IIA - Instructional Materials
- IIAA - Textbook Selection and Adoption
- IIAB - Supplementary Materials Selection and Adoption

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

With the exception of CLA - Reporting Acts of Violence and Substance Abuse, these policies are proposed for information on December 15, 2022 and action on January 5, 2023. CLA will be presented together with similar policies at a date to be determined.

Policies where the Subcommittee Serves as the Revision Team

For the following policies, the Subcommittee serves as the revision team. These policies have been revised to align with the ACPS Policy Style Guide, aligned with the VSBA model policy and the Code of Virginia, and have been reviewed by the Equity Audit Team. The subcommittee may develop additional revisions to these policies at the Dec 8, 2022 meeting.

- BDDG - Minutes
- BHB - School Board Member In-Service Activities

Revision Summaries

BDDG - Minutes

- Policy language regarding posting minutes within 7 days of approval added to reflect enactment of Va. Code § 2.2-3707.2 by [HB 150](#)

- **Virginia Freedom of Information Act; posting of minutes; local public bodies.** Requires, with certain exceptions outlined in the bill, any local public body subject to the provisions of the Virginia Freedom of Information Act to post meeting minutes on its official public government website, if any, within seven working days of final approval of the minutes. The bill provides that if a local public body does not own or maintain an official public government website, it shall make copies of all meeting minutes available no later than seven working days after the conclusion of a meeting at a prominent public location in which meeting notices are regularly posted, at the office of the clerk of the public body, or, in the case of a public body that has no clerk, at the office of the chief administrator.
- Policy language changing “recorded” to “taken” based on amendment to Va. Code § 2.2-3707 by [HB 444](#) which has a delayed effective date of September 1, 2022.
 - **Virginia Freedom of Information Act; meetings conducted through electronic communication means.** Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing certain public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. The bill excepts local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and any board with the authority to deny, revoke, or suspend a professional or occupational license from the provisions that allow public bodies to conduct all-virtual public meetings. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments. The bill has a delayed effective date of September 1, 2022.

BHB - School Board Member In-Service Activities

- 5-year review
- Reorganized to align with the VSBA model policy
- The Board may want to return some of the removed process content or add a belief statement.

CLA - Reporting Acts of Violence and Substance Abuse

- Added a Board belief statement.
- Minor reordering of wording to improve readability
- Inclusion breadcrumbs to other policies
- Expansion of examples of actions taken to prevent violence
- Added references to restorative practices and partnerships with other organizations
- Added clause that ACPS/police contacts are in accordance with the ACPS/APD MOU
- Policy updated to reflect amendment of Va. Code § 22.1-279.3:1 by [HB 4/SB 36](#).
 - **School principals; incident reports.** Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor

offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. The bill provides, as an exception to the requirement to report any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity, that a principal is not required but may report to the local law-enforcement agency any such incident committed by a student who has a disability. This bill incorporates SB 2, SB 287, and SB 613 and is identical to HB 4.

EF - Food Services Management

- Updated so all food services policies can be adopted as a bundle
- Minor change to clarify that food services is self-supporting

EFB/JHCH - ACPS Food Services

EFB/JHCH-R Regulations for School Meals and Snacks

- Retitled policy to School Nutrition Services
- Improved alignment with the VSBA model policy
- Added a section on a required change for how ethnic and racial data is gathered for Child and Adult Care Food Program and Summer Food Service Programs. (Organizations are no longer permitted to gather this visually)
- Relocated content from EFE - Food Services Records and Reports
- Revised to reflect the amendment of Va. Code § 22.1-79.7 by [HB 583](#).
 - **Public elementary and secondary school students; ability to pay for meals and school meal debt; extracurricular school activities.** Requires each school board to adopt policies that prohibit the school board or any school board employee from denying a student the opportunity to participate in any extracurricular school activity because the student cannot pay for a meal at school or owes a school meal debt.
- Revised to reflect the enactment of Va. Code § 22.1-207.4:2 by [HB 2135](#) by the 2021 General Assembly.
 - **Certain school boards; student meals; participation in the Afterschool Meal Program.** Requires each school board that governs a local school division that 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 and is consequently eligible to participate in the Afterschool Meal Program administered by the U.S. Department of Agriculture Food and Nutrition Service (FNS) Child and Adult Care Food Program to apply to the Department of Education to participate in the Afterschool Meal Program for each such school to subsequently and simultaneously serve federally reimbursable meals and offer an afterschool education or enrichment program, pursuant to FNS guidelines and state health and safety standards. The bill requires the Department of Education to administer the Afterschool Meal Program on behalf of the U.S. Department of Agriculture. The bill provides that

the Superintendent of Public Instruction shall issue a waiver to this requirement upon determination that participation is not financially viable for a school or group of schools. The bill requires the Department of Education to develop a process and criteria for evaluating such waivers. The bill has a delayed effective date of July 1, 2022.

EFD - Food Sanitation Program

- Reviewed so all food services policies can adopted as a bundle
- No recommended changes

EFE - Food Services Records and Reports

- Content is redundant with other policies, proposed for deletion
- No VSBA model policy

IIA - Instructional Materials

- Added a board belief statement including the need for instructional materials to be culturally responsive
- Revised to align with the VDOE Model Policy required under the amendment of Va. Code by adding § 22.1-16.8 by [SB 656](#)
 - **Department of Education; local school boards; policies on sexually explicit content in instructional material.** Requires the Department of Education to develop no later than July 31, 2022, model policies and each local school board to adopt no later than January 1, 2023, policies for ensuring parental notification of any instructional material that includes sexually explicit content and include information, guidance, procedures, and standards relating to (i) ensuring parental notification; (ii) directly identifying the specific instructional material and sexually explicit subjects; and (iii) permitting the parent of any student to review instructional material that includes sexually explicit content and provide, as an alternative, nonexplicit instructional material and related academic activities to any student whose parent so requests. The bill provides that the local school board policies shall be consistent with but may be more comprehensive than the model policies developed by the Department. The bill states that the provisions of the bill shall not be construed as requiring or providing for the censoring of books in public elementary and secondary schools.
- [VDOE Model Policies Concerning Instructional Materials with Sexually Explicit Content](#)

IIAA - Textbook Selection and Adoption

- 5-year review
- Added cultural responsiveness to the criteria of selection of textbooks
- Revised to align with the VSBA Model Policy

IIAB - Supplementary Materials Selection and Adoption

- 5-year review
- Added cultural responsiveness to the criteria of selection of supplementary materials

- Revised to align with the VDOE Model Policy required under the amendment of Va. Code by adding § 22.1-16.8 by [SB 656](#)
 - **Department of Education; local school boards; policies on sexually explicit content in instructional material.** Requires the Department of Education to develop no later than July 31, 2022, model policies and each local school board to adopt no later than January 1, 2023, policies for ensuring parental notification of any instructional material that includes sexually explicit content and include information, guidance, procedures, and standards relating to (i) ensuring parental notification; (ii) directly identifying the specific instructional material and sexually explicit subjects; and (iii) permitting the parent of any student to review instructional material that includes sexually explicit content and provide, as an alternative, nonexplicit instructional material and related academic activities to any student whose parent so requests. The bill provides that the local school board policies shall be consistent with but may be more comprehensive than the model policies developed by the Department. The bill states that the provisions of the bill shall not be construed as requiring or providing for the censoring of books in public elementary and secondary schools.
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