



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

**Lynchburg City School Board**

Keith R. Anderson  
School Board District 2

Mary Ann H. Barker  
School Board District 1

Albert L. Billingsly  
School Board District 3

Regina T. Dolan-Sewell  
School Board District 1

Troy L. McHenry  
School Board District 3

Jennifer R. Poore  
School Board District 2

Treney L. Tweedy  
School Board District 3

J. Marie Waller  
School Board District 2

Charles B. White  
School Board District 1

---

**School Administration**

Larry A. Massie  
Interim Superintendent

William A. Coleman, Jr.  
Assistant Superintendent of  
Curriculum and Instruction

Anthony E. Beckles, Sr.  
Chief Financial Officer

Wendie L. Sullivan  
Clerk

**SCHOOL BOARD MEETING**  
**January 24, 2012 5:30 p.m.**  
**School Administration Building**  
**Board Room**

**A. PUBLIC COMMENTS**

- 1. Public Comments  
Larry A. Massie. . . . .Page 1  
Discussion

**B. FINANCE REPORT**

- 1. Finance Report  
Anthony E. Beckles, Sr. . . . .Page 2  
Discussion/Action

**C. CONSENT**

- 1. Personnel Report  
Larry A. Massie. . . . .Page 7  
Discussion/Action
- 2. School Board Policy 2-13: Distribution of Outside  
Communications  
William A. Coleman, Jr. . . . . Page 9  
Discussion/Action
- 3. Administrative Regulation 2-13: Distribution of Outside  
Communications  
William A. Coleman, Jr. . . . . Page 12  
Discussion/Action
- 4. School Board Policy 2-48: Sex Offender Registry  
Notification  
William A. Coleman, Jr. . . . . Page 14  
Discussion/Action

- 5. School Board Policy 2-48.1: Violent Sex Offenders on School Property  
William A. Coleman, Jr. . . . . Page 19  
Discussion/Action
- 6. School Board Policy 4-28: Purchasing  
William A. Coleman, Jr. . . . . Page 21  
Discussion/Action

**D. STUDENT REPRESENTATIVE COMMENTS**

**E. UNFINISHED BUSINESS**

- 1. Textbook Adoption: History and Social Sciences – Secondary Level  
William A. Coleman, Jr. . . . . Page 30  
Discussion

**F. NEW BUSINESS**

- 1. Financial Audit for the Fiscal Year Ended 2011 and Public School Activity Funds Audit for Fiscal Year Ended June 30, 2011  
Anthony E. Beckles, Sr. . . . . Page 33  
Discussion
- 2. School Board Policy 7-41: Use of Drugs and Alcohol  
William A. Coleman. . . . . Page 34  
Discussion
- 3. School Board Policy 7-48: Weapons/Explosives  
William A. Coleman. . . . . Page 44  
Discussion
- 4. Recommendation of Architect Selection Committee  
Larry A. Massie. . . . .Page 51  
Discussion/Action

**G. SUPERINTENDENT’S COMMENTS**

**H. BOARD COMMENTS**

**I. INFORMATIONAL ITEMS**

School Board Work Session: Tuesday, February 7, 2012, 5:30 p.m., Board Room, School Administration Building

**J. ADJOURNMENT**

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** A-1

**Attachments:** No

**From:** Larry A. Massie, Interim Superintendent

**Subject:** Public Comments

**Summary/Description:**

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

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

**Recommendation:**

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

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** B-1

**Attachments:**

**From:** Larry A. Massie, Interim Superintendent  
Anthony E. Beckles, Sr., Chief Financial Officer

**Subject:** Finance Report

## Summary/Description:

The school administration, in accordance with the 2011-12 school's operating budget, authorized, approved, and processed the necessary payments through December 31, 2011. The school administration certifies that the amounts approved are within budgetary limits and revenue.

The operating fund expenditure report summarizes the payments made through December 31, 2011, for the operating fund.

Total Operating Fund Budget	
Return of Fund Balance	\$75,705,953.00
Use of Lease Purchase Funds	\$ 1,047,695.00
Adjusted Budget	<u>\$ 35,852.79</u>

Through December 31, 2011		\$76,789,500.79
---------------------------	--	-----------------

Actual Revenue Received	\$ 32,816,433.46
Actual Expenditures	\$ 30,029,159.22
Actual Encumbered	\$ 38,221,088.47

Percent of Budget Received	42.74%
Percent of Budget Used, excluding encumbrances	39.11%

As of 12/31/11 – 6 months	50.00%
---------------------------	--------

The revenue and expenditure reports detail the transactions recorded through December 31, 2011. All reports appear as attachments to the agenda report.

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

## Recommendation:

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

Lynchburg City Schools  
 Operating Fund - Statement of Expenditures  
 For the Six Months Ended December 31, 2011

Agenda Report Attachment

	Fiscal Year 2010-11 (unaudited)			Fiscal Year 2011-12					
	BUDGET	TRANSACTIONS	BUDGET % USED	BUDGET	TRANSACTIONS	BUDGET % USED	ENCUMBRANCES	BUDGET AVAILABLE	BUDGET % USED
<b>INSTRUCTION</b>									
FUNCTION 1100 CLASSROOM INSTRUCTION	43,807,198.00	43,001,732.26	98.16%						
Personnel				39,243,537.55	13,954,620.69	35.56%	23,775,330.60	1,513,586.26	96.14%
Other				2,571,157.77	583,328.89	22.69%	96,066.14	1,891,762.74	26.42%
FUNCTION 1200 INST SUPPORT-STUDENT	2,754,658.44	2,679,824.08	97.28%						
Personnel				2,879,894.19	1,198,253.50	41.61%	1,417,799.07	263,841.62	90.84%
Other				238,494.00	65,079.36	27.29%	11,732.22	161,682.42	32.21%
FUNCTION 1300 INST SUPPORT-STAFF	5,091,974.86	4,960,244.91	97.41%						
Personnel				3,943,181.97	1,905,813.47	48.33%	1,496,266.21	541,102.29	86.28%
Other				1,762,866.60	396,794.22	22.51%	271,534.56	1,094,537.82	37.91%
FUNCTION 1400 INST SUPPORT-SCHOOL ADMN	4,404,168.11	3,400,065.83	77.20%						
Personnel				4,625,711.23	2,194,617.11	47.44%	2,300,918.64	130,175.48	97.19%
Other				134,700.00	63,834.84	47.39%	233.60	70,631.56	47.56%
<b>TOTAL INSTRUCTION</b>	<b>56,057,999.41</b>	<b>54,041,867.08</b>	<b>96.40%</b>	<b>55,399,543.31</b>	<b>20,362,342.08</b>	<b>36.76%</b>	<b>29,369,881.04</b>	<b>5,667,320.19</b>	<b>89.77%</b>
<b>ADMINISTRATION</b>									
FUNCTION 2100 ADMINISTRATION	2,449,937.78	2,096,489.10	85.57%						
Personnel				2,066,681.35	941,424.10	45.55%	696,589.24	428,668.01	79.26%
Other				489,547.37	218,299.15	44.59%	14,303.86	256,944.36	47.51%
FUNCTION 2200 ATTENDANCE & HEALTH SERV	1,803,495.42	1,736,958.35	96.31%						
Personnel				1,709,599.30	652,195.26	38.15%	1,049,721.25	7,682.79	99.55%
Other				32,125.00	17,334.70	53.96%	290.00	14,500.30	54.86%
<b>TOTAL ADMINISTRATION</b>	<b>4,253,433.20</b>	<b>3,833,447.45</b>	<b>90.13%</b>	<b>4,297,953.02</b>	<b>1,829,253.21</b>	<b>42.56%</b>	<b>1,760,904.35</b>	<b>707,795.46</b>	<b>83.53%</b>
<b>PUPIL TRANSPORTATION</b>									
FUNCTION 3100 MANAGEMENT & DIRECTION	278,661.38	270,242.66	96.98%						
Personnel				260,173.44	134,279.03	51.61%	127,351.02	-1,456.61	100.56%
Other				21,526.00	16,204.00	75.28%	50.00	5,272.00	75.51%
FUNCTION 3200 VEHICLE OPERATION SERVICE	2,920,292.42	2,851,212.01	97.63%						
Personnel				2,302,508.34	865,866.76	37.61%	1,208,302.29	228,339.29	90.08%
Other				749,628.32	445,733.41	59.46%	404.00	303,490.91	59.51%
FUNCTION 3300 MONITORING SERVICE	318,795.50	303,775.67	95.29%						
Personnel				338,244.58	120,690.79	35.68%	193,247.53	24,306.26	92.81%
Other				0.00	0.00	0.00%	0.00	0.00	0.00%
FUNCTION 3400 VEHICLE MAINT SERVICE	367,100.50	363,030.56	98.89%						
Personnel				300,358.43	137,446.45	45.76%	144,104.61	18,807.37	93.74%
Other				330,518.00	200,444.69	60.65%	750.00	129,323.31	60.87%
FUNCTION 3500 BUS PURCHASE - REGULAR	169,217.06	169,227.06	100.01%						
Other				0.00	0.00	0.00%	0.00	0.00	0.00%
FUNCTION 3600 BUS - LEASE PURCHASE	66,000.00	66,506.94	100.77%						
Other				0.00	0.00	0.00%	0.00	0.00	0.00%
<b>TOTAL PUPIL TRANSPORTATION</b>	<b>4,120,066.86</b>	<b>4,023,994.90</b>	<b>97.67%</b>	<b>4,302,957.11</b>	<b>1,920,665.13</b>	<b>44.64%</b>	<b>1,674,209.45</b>	<b>708,082.53</b>	<b>83.54%</b>
<b>OPERATIONS &amp; MAINTENANCE</b>									
FUNCTION 4100 MANAGEMENT & DIRECTION	307,191.98	287,213.22	93.50%						
Personnel				266,812.19	134,557.14	50.43%	131,356.98	898.07	99.66%
Other				34,300.00	16,650.07	48.54%	0.00	17,649.93	48.54%
FUNCTION 4200 BUILDING SERVICES	8,852,667.95	8,574,983.01	96.86%						
Personnel				4,110,199.60	1,975,125.20	48.05%	1,803,610.80	331,463.60	91.94%
Other				4,538,000.00	2,040,786.21	44.97%	1,908,751.61	588,462.18	87.03%
FUNCTION 4300 GROUNDS SERVICES	240,570.71	243,949.95	101.40%						
Personnel				237,030.18	99,252.88	41.87%	104,432.25	33,345.05	85.93%
Other				29,000.00	13,849.23	47.76%	820.00	14,330.77	50.58%
FUNCTION 4400 EQUIPMENT SERVICES	48,000.00	48,525.77	101.10%						
Personnel				0.00	0.00	0.00%	0.00	0.00	0.00%
Other				64,000.00	49,434.76	77.24%	369.63	14,195.61	77.82%
FUNCTION 4500 VEHICLE SERVICES	23,000.00	25,566.85	111.16%						
Personnel				0.00	0.00	0.00%	0.00	0.00	0.00%

Lynchburg City Schools  
 Operating Fund - Statement of Expenditures  
 For the Six Months Ended December 31, 2011

FUNCTION 4600 SECURITY SERVICES	Other	232,224.50	260,550.95	112.20%	22,000.00	10,582.53	48.10%	29.13	11,388.34	48.23%
	Personnel				147,683.11	85,812.65	58.11%	10,438.74	51,431.72	65.17%
	Other				86,000.00	51,716.09	60.13%	3,275.00	31,008.91	63.94%
<b>TOTAL OPERATIONS &amp; MAINTENANCE</b>		<b>9,703,655.14</b>	<b>9,440,789.75</b>	<b>97.29%</b>	<b>9,535,025.08</b>	<b>4,477,766.76</b>	<b>46.96%</b>	<b>3,963,084.14</b>	<b>1,094,174.18</b>	<b>88.52%</b>
<b>SCHOOL FOOD SERVICES</b>										
FUNCTION 5100 SCHOOL FOOD SERVICES		0	0.00	0.00%						
	Personnel				0	0.00	0.00%	131,801.21	(131,801.21)	Reimbursed 100% by
	Other				0	0.00	0.00%	0.00	0.00	School Nutrition
<b>TOTAL SCHOOL FOOD SERVICES</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>131,801.21</b>	<b>(131,801.21)</b>	
<b>FACILITIES</b>										
FUNCTION 6200 SITE IMPROVEMENTS		0	0	0.00%	0	0	0.00%	0	0.00	0.00%
FUNCTION 6600 BLDG ADD & IMP SERVICES		98,095.00	63,099.89	64.33%						
	Personnel				32,295.35	7,588.17	23.50%	0.00	24,707.18	23.50%
	Other				49,100.00	15,610.00	31.79%	11,150.00	22,340.00	54.50%
<b>TOTAL FACILITIES</b>		<b>98,095.00</b>	<b>63,099.89</b>	<b>64.33%</b>	<b>81,395.35</b>	<b>23,198.17</b>	<b>28.50%</b>	<b>11,150.00</b>	<b>47,047.18</b>	<b>42.20%</b>
<b>DEBT SERVICE</b>										
FUNCTION 7100 DEBT SERVICE -	Other	720,472.94	717,900.14	99.64%	536,751.78	320,119.19	59.64%	183,005.59	33,627.00	93.74%
<b>TOTAL DEBT SERVICE</b>					<b>536,751.78</b>	<b>246,985.71</b>	<b>46.01%</b>	<b>256,139.07</b>	<b>33,627.00</b>	<b>93.74%</b>
<b>TECHNOLOGY</b>										
FUNCTION 8100 CLASSROOM INSTRUCTION		1,560,213.69	1,762,037.19	112.94%						
	Personnel				1,894,961.76	787,004.80	41.53%	1,004,361.35	103,595.61	94.53%
	Other				154,112.48	44,750.07	29.04%	13,187.70	96,174.71	37.59%
FUNCTION 8200 INSTRUCTIONAL SUPPORT		652,501.82	466,081.62	71.43%						
	Personnel				242,039.11	109,963.38	45.43%	106,412.64	25,663.09	89.40%
	Other				308,909.00	118,243.64	38.28%	3,091.00	187,574.36	39.28%
FUNCTION 8200 LEASE PURCHASE		109,975.76	109,975.76	100.00%						
					35,852.79	35,852.79	100.00%	0.00	0.00	-
<b>TOTAL TECHNOLOGY</b>		<b>2,322,691.27</b>	<b>2,338,094.57</b>	<b>100.66%</b>	<b>2,635,875.14</b>	<b>1,095,814.68</b>	<b>41.57%</b>	<b>1,127,052.69</b>	<b>413,007.77</b>	<b>84.33%</b>
<b>CONTINGENCY RESERVES</b>										
FUNCTION 9100 CLASSROOM INSTRUCTION		0	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00	0.00%
FUNCTION 9300 ADMINISTRATION		300,000.00	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00	0.00%
FUNCTION 9500 PUPIL TRANSPORTATION		200,000.00	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00	0.00%
FUNCTION 9600 OPERATIONS & MAINTENANCE		0	0.00	0.00%	0.00	0.00	0.00%	0.00	0.00	0.00%
<b>TOTAL CONTINGENCY RESERVES</b>		<b>500,000.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
<b>TOTAL OPERATING BUDGET</b>		<b>77,776,413.82</b>	<b>74,459,193.78</b>	<b>95.73%</b>	<b>76,789,500.79</b>	<b>30,029,159.22</b>	<b>39.11%</b>	<b>38,221,088.47</b>	<b>8,539,253.10</b>	<b>88.88%</b>

Agenda Report Attachment

Item: B-1

Lynchburg City Schools  
 Operating Fund - Statement of Revenue  
 For the Six Months Ended December 31, 2011

Agenda Report Attachment

ACCOUNT TITLE	FY 2010-2011 (unaudited)				FY 2011-12			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
240308 SALES TAX RECEIPTS	(8,321,436.00)	(8,686,156.49)	364,720.49	104.38%	(8,965,522.00)	(3,697,187.88)	(5,268,334.12)	41.24%
240202 BASIC SCHOOL AID	(19,996,461.00)	(18,942,052.10)	(1,054,408.90)	94.73%	(19,663,616.00)	(9,831,807.96)	(9,831,808.04)	50.00%
240207 GIFTED & TALENTED	(232,983.00)	(233,626.00)	643.00	100.28%	(233,116.00)	(116,558.04)	(116,557.96)	50.00%
240208 REMEDIAL EDUCATION	(916,399.00)	(918,931.00)	2,532.00	100.28%	(916,922.00)	(458,460.96)	(458,461.04)	50.00%
240208 REMEDIAL EDUCATION	(206,426.00)	(148,487.00)	(57,939.00)	71.93%	(148,487.00)	0.00	(148,487.00)	0.00%
240209 ENROLLMENT LOSS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
240212 SPECIAL ED SOQ	(2,583,520.00)	(2,590,657.00)	7,137.00	100.28%	(2,584,995.00)	(1,292,497.56)	(1,292,497.44)	50.00%
240217 VOCATIONAL ED SOQ	(305,466.00)	(306,310.00)	844.00	100.28%	(305,641.00)	(152,820.48)	(152,820.52)	50.00%
240221 SOC SEC-INSTR	(1,340,942.00)	(1,344,650.00)	3,708.00	100.28%	(1,212,202.00)	(670,855.56)	(541,346.44)	55.34%
240223 VRS INSTRUCTIONAL	(792,143.00)	(794,330.00)	2,187.00	100.28%	(1,341,711.00)	(606,101.04)	(735,609.96)	45.17%
240241 GROUP LIFE INST	(46,598.00)	(46,725.00)	127.00	100.27%	(46,623.00)	(23,311.56)	(23,311.44)	50.00%
240228 READING INTERVENTN	(117,822.00)	(142,932.00)	25,110.00	121.31%	(141,000.00)	0.00	(141,000.00)	0.00%
240205 CAT-REG FOSTER	(150,118.00)	(140,240.00)	(9,878.00)	93.42%	(145,135.00)	0.00	(145,135.00)	0.00%
240246 CAT-HOMEBOUND	(160,802.00)	(147,984.74)	(12,817.26)	92.03%	(156,865.00)	(44,014.35)	(112,850.65)	28.06%
240248 REGIONAL TUITION	(866,273.00)	(645,645.48)	(220,627.52)	74.53%	(849,922.00)	0.00	(849,922.00)	0.00%
240265 AT RISK SOQ	(1,071,449.00)	(1,074,480.00)	3,031.00	100.28%	(1,074,910.00)	0.00	(1,074,910.00)	0.00%
240309 ESL	(114,953.00)	(89,904.00)	(25,049.00)	78.21%	(106,053.00)	0.00	(106,053.00)	0.00%
330213 SCHOOL LUNCH	0.00	0.00	0.00	100.00%	0.00	0.00	0.00	100.00%
240281 AT RISK 4 YR OLDS	(1,209,101.00)	(1,209,101.00)	0.00	100.00%	(1,231,987.00)	0.00	(1,231,987.00)	0.00%
240218 CTE - ADULT ED	(19,175.00)	(1,238.00)	(17,937.00)	6.46%	(19,175.00)	0.00	(19,175.00)	0.00%
240252 CTE EQUIPMENT	0.00	(10,212.98)	10,212.98	100.00%	0.00	0.00	0.00	100.00%
240253 CTE OCC PREP	(29,073.00)	(25,260.00)	(3,813.00)	86.88%	(33,809.00)	0.00	(33,809.00)	0.00%
LOTTERY PROCEEDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
REG SPEC SERV	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
240273 CPI HOLD HARMLESS	(1,744,519.00)	(1,563,186.60)	(181,332.40)	89.61%	(126,411.00)	0.00	(126,411.00)	0.00%
SUPPLEMENTAL SUPPORT	0.00	0.00	0.00	0.00%	(671,477.00)	0.00	(671,477.00)	
240275 PRIMARY CLASS SIZE	(1,174,904.00)	(1,171,919.00)	(2,985.00)	99.75%	(1,190,402.00)	0.00	(1,190,402.00)	0.00%
240214 TEXTBOOKS	(272,021.00)	(272,772.00)	751.00	100.28%	(210,115.00)	(105,057.48)	(105,057.52)	50.00%
240203 GED/ISAEP	(23,576.00)	(23,576.00)	0.00	100.00%	(23,576.00)	0.00	(23,576.00)	0.00%
240405 ALGEBRA READINESS	(110,760.00)	(114,911.00)	4,151.00	103.75%	(114,911.00)	0.00	(114,911.00)	0.00%
<b>COMMONWEALTH OF VA</b>	<b>(41,806,920.00)</b>	<b>(40,645,287.39)</b>	<b>(1,161,632.61)</b>	<b>97.22%</b>	<b>(41,514,583.00)</b>	<b>(16,998,672.87)</b>	<b>(24,515,910.13)</b>	<b>40.95%</b>
330201 BASIC ADULT ED.	(50,000.00)	(44,128.90)	(5,871.10)	88.26%	(50,000.00)	(300.00)	(49,700.00)	0.60%
330212 IMPACT AIDPL81-874	(6,000.00)	(7,990.43)	1,990.43	133.17%	(6,000.00)	(437.81)	(5,562.19)	7.30%
180303 MEDICAID REIMBURSE	(300,000.00)	(842,050.41)	542,050.41	280.68%	(300,000.00)	(110,864.44)	(189,135.56)	36.95%
JR ROTC	(105,000.00)	(114,133.42)	9,133.42	108.70%	(105,000.00)	(44,623.71)	(60,376.29)	42.50%
<b>FEDERAL</b>	<b>(461,000.00)</b>	<b>(1,008,303.16)</b>	<b>547,303.16</b>	<b>218.72%</b>	<b>(461,000.00)</b>	<b>(156,225.96)</b>	<b>(304,774.04)</b>	<b>33.89%</b>

Page 5

Item: B-1

Lynchburg City Schools  
 Operating Fund - Statement of Revenue  
 For the Six Months Ended December 31, 2011

	FY 2010-2011 (unaudited)				FY 2010-2011			
	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED	REVENUE BUDGET	YTD TRANSACTIONS	BUDGET BALANCE	% RECEIVED
510500 CITY OPER APPR	(31,942,103.00)	(31,942,103.00)	0.00	100.00%	(31,942,103.00)	(14,050,000.00)	(17,892,103.00)	43.99%
510500 FUND BALANCE RETURN	(1,467,931.00)	(1,467,931.00)	0.00	100.00%	(1,047,695.00)	(1,047,695.00)	0.00	100.00%
510500 USE OF RESERVES	(300,000.00)	(300,000.00)	0.00	0.00%	(200,000.00)	0.00	(200,000.00)	0.00%
510502 CITY DEBT SERV APP	(33,627.00)	(31,021.65)	(2,605.35)	92.25%	(33,627.00)	0.00	(33,627.00)	0.00%
<b>CITY</b>	<b>(33,743,661.00)</b>	<b>(33,741,055.65)</b>	<b>(2,605.35)</b>	<b>99.99%</b>	<b>(33,223,425.00)</b>	<b>(15,097,695.00)</b>	<b>(18,125,730.00)</b>	<b>45.44%</b>
189912 MISC REV/OTH FUNDS	0.00	(278,625.09)	278,625.09	100.00%	0.00	(10,330.43)	10,330.43	100.00%
180303 REBATES & REFUNDS	(15,000.00)	(51,501.65)	36,501.65	343.34%	(15,000.00)	(3,600.00)	(11,400.00)	24.00%
189903 DONATIONS & SP GF	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
189909 SALE OTHER EQUIP	0.00	(1,813.45)	1,813.45	100.00%	0.00	0.00	0.00	100.00%
189910 INSURANCE ADJUST	(162,217.06)	(168,572.58)	6,355.52	103.92%	(3,000.00)	(5,964.69)	2,964.69	198.82%
189912 OTHER FUNDS	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
E RATE REIMBURSEMENT	(85,000.00)	(96,777.43)	11,777.43	113.86%	(85,000.00)	(67,377.09)	(17,622.91)	79.27%
TRANSFER IN/OUT	0.00	23,725.85	(23,725.85)	-100.00%	0.00	0.00	0.00	-100.00%
<b>MISCELLANEOUS</b>	<b>(262,217.06)</b>	<b>(573,564.35)</b>	<b>311,347.29</b>	<b>218.74%</b>	<b>(103,000.00)</b>	<b>(87,272.21)</b>	<b>(15,727.79)</b>	<b>84.73%</b>
150201 RENTS	(110,000.00)	(98,000.00)	(12,000.00)	89.09%	(98,000.00)	(98,000.00)	0.00	100.00%
161201 TUITION DAY SCHOOL	(189,000.00)	(132,647.66)	(56,352.34)	70.18%	(160,000.00)	(51,890.08)	(108,109.92)	32.43%
161206 TUITION ADULT	(15,750.00)	(19,342.00)	3,592.00	122.81%	(10,000.00)	0.00	(10,000.00)	0.00%
161207 TUITION SUMMER SCH	0.00	0.00	0.00	0.00%	(40,000.00)	0.00	(40,000.00)	0.00%
161202 SPEC PUPIL FEES	(50,000.00)	(49,763.36)	(236.64)	99.53%	(45,000.00)	(20,350.00)	(24,650.00)	45.22%
161205 BUS RENTAL	(132,500.00)	(405,708.09)	273,208.09	306.19%	(170,500.00)	(154,445.47)	(16,054.53)	90.58%
190101 TUIT FM OTH CO/CY	(634,620.00)	(644,571.00)	9,951.00	101.57%	(634,620.00)	(25,640.12)	(608,979.88)	4.04%
161201 DUAL ENROLLMENT	(42,000.00)	(88,848.75)	46,848.75	211.54%	(35,000.00)	0.00	(35,000.00)	0.00%
PRINT SHOP	0.00	(116,455.64)	116,455.64	100.00%	(100,000.00)	(68,315.00)	(31,685.00)	100.00%
SCHOOL NUT UTILITIES	(98,500.00)	(90,518.20)	(7,981.80)	91.90%	(98,500.00)	(33,015.17)	(65,484.83)	33.52%
FACILITY RENTALS	(54,270.00)	(65,487.50)	11,217.50	120.67%	(60,020.00)	(24,841.33)	(35,178.67)	41.39%
<b>CHARGES FOR SERVICES</b>	<b>(1,326,640.00)</b>	<b>(1,711,342.20)</b>	<b>384,702.20</b>	<b>129.00%</b>	<b>(1,451,640.00)</b>	<b>(476,497.17)</b>	<b>(975,142.83)</b>	<b>32.82%</b>
150101 INTEREST-BNK DPST USE OF MONEY	<b>0.00</b>	<b>(526.75)</b>	<b>526.75</b>	<b>100.00%</b>	<b>0.00</b>	<b>(70.25)</b>	<b>70.25</b>	<b>100.00%</b>
<b>LEASE PURCHASE PROCEEDS</b>	<b>(175,975.76)</b>	<b>0.00</b>	<b>(175,975.76)</b>	<b>0.00%</b>	<b>(35,852.79)</b>	<b>0.00</b>	<b>(35,852.79)</b>	<b>0.00%</b>
<b>TOTAL OPERATING FUND</b>	<b>(77,776,413.82)</b>	<b>(77,680,079.50)</b>	<b>(96,334.32)</b>	<b>99.88%</b>	<b>(76,789,500.79)</b>	<b>(32,816,433.46)</b>	<b>(43,973,067.33)</b>	<b>42.74%</b>



# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-1

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent

**Subject:** Personnel Report

**Summary/Description:**

The personnel recommendations for January 10 - 24, 2012, appear as an attachment to this agenda report.

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

**Recommendation:**

The interim superintendent recommends that the school board approve the personnel recommendations for January 10 - 24, 2012.

<u>NAME</u>	<u>COLLEGE</u>	<u>DEGREE/ EXPERIENCE</u>	<u>SCHOOL/ ASSIGNMENT</u>	<u>EFFECTIVE DATE</u>
-------------	----------------	-------------------------------	-------------------------------	---------------------------

**NOMINATIONS, INSTRUCTIONAL PERSONNEL, 2011-12:**

Willis, Mark	Radford University	B.S./0 yrs. (LV.0 4)	E.C. Glass High Special Education	01/25/12
-----------------	-----------------------	-------------------------	--------------------------------------	----------

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-2

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 2-13: Distribution of Outside Communications

## **Summary/Description:**

The school board asked that the school administration review School Board Policy 2-13: Distribution of Outside Communications. That review has been completed, and revisions to the policy appear as an attachment to this agenda report.

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

## **Recommendation:**

The interim superintendent recommends that the school board approve revisions to School Board Policy 2-13: Distribution of Outside Communications.

COMMUNITY RELATIONS

**Distribution of Outside Communications P 2-13**

**A. In the Community**

~~—Students should not be used as a means of distributing notices or communications to parents not originating within the schools or of an official school nature with the exception of communication to parents from the parent organizations affiliated with the school or when, in the judgment of the superintendent, such communications are of a significant educational value.~~

**B. In the Schools**

~~—The announcing of nonschool-related events is discouraged; however, announcements or notices having, in the judgment of the superintendent, significant educational value or widespread community importance may be announced in the schools.~~

**C. Use of School Mail Services**

~~—The use of the school division mail distribution service shall be limited to school business. The use of this service may be extended to parent-teacher organizations or other school-related organizations with the permission of the superintendent.~~

**{The Lynchburg City School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. The division superintendent, or his/her designee, must approve, in advance, any materials sought to be distributed or made available by non-school organizations, including parent-teacher organizations and booster clubs. Approval will be granted only for materials from governmental organizations and nonprofit community organizations regarding activities related to the educational mission of the Lynchburg City Schools.**

**Approval will not be given for materials which**

- **are likely to cause substantial disruption of, or a material interference with, school activities;**
- **endorse or encourage the use of alcohol, tobacco, or any illegal substance or action;**
- **endorse or encourage any violation of the Standards of Student Conduct (see Policy P7-32); or**
- **are obscene, pornographic, or defamatory.**

**Materials from nonprofit community organizations approved for distribution must clearly indicate their source and must include the following statement: “These**

COMMUNITY RELATIONS

**Distribution of Outside Communications P 2-13**

**materials and the activity described herein, are not sponsored or endorsed by the Lynchburg City School Board.”**

**The superintendent, by regulation, will establish the time, place, and manner of distribution of approved materials. No distribution will be permitted during class time.**

**Political Communications**

**Students shall not be required to convey or deliver any material that advocates (1) the election or defeat of any candidate; (2) the passage or defeat of any referendum question or (3) the passage or defeat of any matter pending before a local school board, local governing body, the General Assembly or Congress.**

**This policy shall not be construed to prohibit the discussion or use of political or issue-oriented materials as part of classroom discussions or projects.**

**Legal References:**

**U. S. Constitution amend. I.**

**Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools,  
457 F.3d 376 (4th Cir. 2006)**

**Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-131, and 22.1-293(B-D).}**

Adopted by School Board: June 19, 1973

Revised by School Board: September 7, 1976

Revised by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-3

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** Administrative Regulation 2-13: Distribution of Outside Communications

## **Summary/Description:**

The school board asked that the school administration review School Board Policy 2-13: Distribution of Outside Communications. That review has been completed, and an administrative regulation has been added to support the policy. The administrative regulation appears as an attachment to this agenda report.

**Disposition:**  **Action**  
 **Information**  
 **Action at Meeting on:** 01/24/12

## **Recommendation:**

The interim superintendent recommends that the school board approve Administrative Regulation 2-13: Distribution of Outside Communications.

COMMUNITY RELATIONS

**Distribution of Outside Communications R 2-13**

- {A. Only requests from governmental organizations and non-profit community organizations regarding activities related to the educational mission of the Lynchburg City Schools will be considered for approval.**
- B. Requests must be submitted to the Superintendent thirty days in advance of the distribution date.**
- C. Materials for non-profit community organizations approved for distribution must
  - 1. Clearly indicate their source.**
  - 2. Include the following statement:**
    - “These materials, and the activity described herein, are not sponsored or endorsed by the Lynchburg City School Board.”****
- D. Principals will be notified of approved items for distribution and will place such items at a designated location in the main office of the school for approved materials.**

**Adopted by School Board:}**

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-4

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 2-48: Sex Offender Registry Notification

## **Summary/Description:**

The school administration is reviewing school board policies and administrative regulations. As a result of that review, a school board policy regarding sex offender registry notification has been developed. The policy has been reviewed by legal counsel. That policy appears as an attachment to this agenda report.

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

## **Recommendation:**

The interim superintendent recommends that the school board approve School Board Policy 2-48: Sex Offender Registry Notification.



## COMMUNITY RELATIONS

**Sex Offender Registry Notification P 2-48****{A. Generally**

The Lynchburg City Schools recognizes the danger sex offenders pose to student safety. Therefore, to protect students while they travel to and from school, attend school, or are at school-related activities, each school in the Lynchburg City Schools shall request electronic notification of the registration or re-registration of any sex offender in the same or contiguous zip codes as the school. Such requests and notifications shall be made according to the procedure established by the Virginia Department of State Police (State Police).

**B. Annual Notification**

At the beginning of each school year, the Lynchburg City Schools shall notify parents and employees of this policy. The school board will also annually notify the parent of each student enrolled in the school division of the availability of information in the Sex Offender and Crimes Against Minors Registry and the location of the Internet website.

**C. Dissemination of Sex Offender Registry Information**

Sex offender registry information should be provided to employees who are most likely to observe unauthorized persons on or near school property including but not limited to:

- school bus drivers,
- employees responsible for visitor registration,
- employees responsible for bus duty,
- security staff,
- coaches,
- playground supervisors, and
- maintenance personnel.

When registry information is disseminated, it shall include a notice that such information should not be shared with others and may only be used for the

COMMUNITY RELATIONS

**Sex Offender Registry Notification P 2-48**

purposes discussed below. Employees who share registry information with others may be disciplined.

The Lynchburg City Schools recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the school division will not disseminate registry information to parents.

**D. Use of Sex Offender Registry Information**

Registry information shall only be used for the purposes of the administration of law-enforcement, screening current or prospective school division employees or volunteers and for the protection of school division students and employees. Registry information shall not be used to intimidate or harass others.

**1. Registered Sex Offender Sighted**

If a notified employee sees a registered sex offender on or near school property, around any school division student, or attending any school division activity, the superintendent or his designee shall be notified immediately. The superintendent or his designee may, in his or her discretion, notify local law-enforcement.

**2. School Volunteers and Student Teachers**

Each staff member shall submit to the principal the name and address of each volunteer the staff member proposes to use as soon as the person is identified. The principal shall screen each student teacher and volunteer's name and address against the registry information. If a match is found, the principal shall notify the superintendent, who shall confirm the match. If the match is confirmed, the superintendent shall inform the individual, in writing, that he or she may not serve as a volunteer or student teacher. The notice shall provide the reason with reference to this policy. The superintendent shall provide a copy of the notice to the principal and staff member.

**3. Contractors' Employees**

In addition to ensuring that the certification requirements of policy **P 4-28 Purchasing** are met, the superintendent shall include the following

## COMMUNITY RELATIONS

**Sex Offender Registry Notification P 2-48**

language in all school division contracts that may involve an employee of the contractor having any contact with a student:

*The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the*

*contractor shall check the registry to determine if any employee is registered.*

**4. School Division Employees**

Each time sex offender registry information is received, the principal shall review it to determine if a school division employee is registered. If a match is found, the superintendent shall confirm or disprove the match with local law enforcement. If the match is confirmed, the Superintendent shall notify the school board. The school board will take the appropriate action to comply with state law which may include termination of employment.

**5. Applicants for Employment**

Before hiring any person, the Superintendent shall determine whether the prospective employee is a registered sex offender. If the prospective employee is a registered sex offender, he or she shall not be hired by the school division.

**6. Parents of Students and other Visitors**

Persons who have been convicted of a sexually violent offense, as defined in the Code of Virginia § 9.1-902, may be present at school during school hours or during school related or school sponsored activities only as provided in **Policy P 2-48.1: Violent Sex Offenders on School Property.**

When the school division learns that a parent of an enrolled student is a registered sex offender, other than a violent sex offender, the parent will be notified in writing that he or she is barred from being present at school or at school functions without the express written approval of the student's principal. Such approval must be obtained in advance of the proposed visit and will state the conditions under which the parent may be present. When a parent who is a registered sex offender is permitted at school or at school functions he or she will be monitored to ensure that he or she does not come into contact with any children other than his or her own children. Principals will consider requests from registered sex

COMMUNITY RELATIONS

**Sex Offender Registry Notification P 2-48**

offenders in accordance with procedures prescribed by the superintendent.

When the school division learns that any person other than the parent of an enrolled student who is a registered sex offender, other than a violent sex offender, seeks to be present at school or at school functions, he or

she will be notified in writing that he or she is barred from being present at school or school functions without the express written approval of the principal of the school the person seeks to visit or which sponsors the event the person seeks to attend. Such approval must be obtained in advance of the proposed visit and, if obtained, will state the conditions under which the person may be present. One of the conditions will be that the person will be monitored to ensure the safety of students, staff, and others. Principals will consider requests from registered sex offenders in accordance with procedures prescribed by the superintendent.

**7. Precautions to Protect Students**

When the superintendent determines it is necessary, because of the presence of a registered sex offender, alternative arrangements may be made for bus and walking routes to and from school, recess and physical education periods, or any other activity in order to protect school division students.

**E. Requests for Registry Information**

Anyone requesting registry information from the school division shall be referred to the State Police.

**Legal References:**

Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-914, 9.1-918, 18.2-370.5, and 19.2-390.1.

Commonwealth v. Doe, No. 081691(Va. Sept. 18, 2009)}

Adopted by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-5

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 2-48.1: Violent Sex Offenders on School Property

## **Summary/Description:**

The school administration is reviewing school board policies and administrative regulations. As a result of that review, a school board policy regarding violent sex offenders on school property has been developed. The policy has been reviewed by legal counsel. That policy appears as an attachment to this agenda report.

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

## **Recommendation:**

The interim superintendent recommends that the school board approve School Board Policy 2-48.1: Violent Sex Offenders on School Property.

COMMUNITY RELATIONS

**Violent Sex Offenders on School Property P 2-48.1**

**{No adult who has been convicted of a sexually violent offense, as defined in the Code of Virginia § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, unless**

- a. he or she is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his/her vote;**
- b. he or she is a student enrolled at the school; or**
- c. he or she has obtained a court order allowing him/her to enter and be present upon such property, has obtained the permission of the school board or its designee for entry within all or part of the scope of the lifted ban, and is in compliance with the school boards' terms and conditions and those of the court order.**

**Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy P 2-48: Sex Offender Registry Notification.**

**Legal References:**

**Code of Virginia, 1950, as amended, §§ 9.1-902, 18.2-370.5.**

**Commonwealth v. Doe, 278 Va. 223 (2009).}**

Adopted by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** C-6

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 4-28: Purchasing

## **Summary/Description:**

As a result of the development of School Board Policy 2-48: Sex Offender Registry Notification, it is necessary to revise School Board Policy 4-28: Purchasing. Revisions to the policy have been reviewed by legal counsel. That policy appears as an attachment to this agenda report.

**Disposition:**  **Action**  
 **Information**  
 **Action at Meeting on:** 01/24/12

## **Recommendation:**

The interim superintendent recommends that the school board approve revisions to School Board Policy 4-28: Purchasing.

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

A. Generally

1. Purpose

The purpose of this policy is to provide for the fair and equitable treatment of all persons involved in public purchasing by the school board, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

2. Application

This policy applies to contracts for the purchase or lease of goods, services, insurance and construction entered into by the school board.

3. Purchasing and Awarding of Contracts

Having followed the specifics of the Virginia Public Procurement Act and the remaining school board policies and regulations on the matter, the superintendent or his designee may approve purchase or award contracts on items included in the regular operating budget, except in those cases in which the board has requested to review and approve bids/proposals and in cases in which the superintendent deems it appropriate to review the bids/proposals with the board.

**{As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board will require the contractor to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.**

**This requirement does not apply to a contractor or his employees providing services to a school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.**

**In addition to ensuring that the certification requirements are met, the superintendent shall include the following language in all school division contracts that may involve an employee of the contractor having any contact with a student:**



BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

***The contractor shall not send any employee or agent who is a registered sex offender to any school building or school property. Monthly, the contractor shall check the registry to determine if any employee is registered.***

On all contracts requiring award by the school board, the board shall make a decision after careful examination of the appropriate legal criteria and the superintendent's recommendation.

4. Effective Date

This policy shall become effective upon adoption. The provisions of this policy shall not apply to those contracts entered into prior to ~~January 1, 1983~~ **{January 24, 2012}**, which shall continue to be governed by the procurement policies and regulations of the school board in effect at the time those contracts were executed.

5. Severability

If any provision of this policy or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this policy which can be given effect without the invalid provision or application, and to this end the provisions of this policy are declared to be severable.

B. Ethics in Public Contracting

Editor's Note: See school board policy # 4-2 and implementing administrative regulations.

C. Definitions

1. Brand name specification. A specification limited to one or more items by manufacturers' names or catalogue numbers.
2. Brand name or equal specification. A specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance, and other salient characteristics needed to meet school board requirements and which provides for the submission of equivalent products.

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

3. Business. Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.
4. Change order (unilateral). A written order signed and unilaterally issued by the school board purchasing authority directing the contractor to make changes which the "changes" clause in the contract authorizes the purchasing authority to order without the consent of the contractor.
5. Confidential Information. Any information which is available to an employee only because of the employee's status as an employee of the school board and is not a matter of public knowledge or available to the public on request.
6. Construction. Building, altering, repairing, improving or demolishing any structure, building or highway, and any draining, dredging, excavation, grading or similar work upon real property.
7. Construction Management Contract. A contract in which a party is retained by the owner to coordinate and administer contracts for the owner, and may also include, if provided in the contract, the furnishing of construction services to the owner.
8. Contract. All types of school board agreements, regardless of what they may be called, for the procurement of goods, services, insurance or construction.
9. Contract Modification. Any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provision of any contract accomplished by mutual action of the parties of the contract.
10. Cost Analysis. The evaluation of cost data for the purpose of arriving at costs actually incurred or estimates of costs to be incurred, prices to be paid, and costs to be reimbursed.
11. Cost Data. Factual information concerning the cost of labor, material, overhead, and other cost elements which are expected to be incurred or which have been actually incurred by the contractor in performing the contract.
12. Goods. All material, equipment, supplies, printing and automated data processing hardware and software.
13. Informality. A minor defect or variation of a bid or proposal from the exact requirements of the invitation to bid, or the request for proposal, which does not affect the price, quality, quantity, or delivery schedule for the goods, services or construction being procured.

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

14. Insurance. A contract whereby, for a stipulated consideration, one party undertakes to compensate the other for loss on a specified subject by specified perils.
15. Invitation for Bids. All documents whether attached or incorporated by reference, utilized for soliciting sealed bids. No confidential or proprietary data shall be solicited in any invitation for bids.
16. Nominal Value. So small, slight, or the like, in comparison to what might properly be expected, as scarcely to be entitled to the name.
17. Nonprofessional Services. Any services not specifically identified as professional services in the following definition.
18. Professional Services. Work performed by an independent contractor within the scope of the practice of accounting, architecture, land surveying, landscape architecture, law, medicine, optometry or professional engineering.
19. Pricing Data. Factual information concerning prices for items substantially similar to those being procured. Prices in this definition refer to offer or proposed selling prices, historical selling prices and current selling prices. The definition refers to data relevant to both prime and subcontract prices.
20. Qualified Products List. An approved list of goods, services, or construction items described by model or catalogue number, which prior to competitive solicitation, the purchasing authority has determined will meet the applicable specification requirements.
21. Request for Proposals. All documents, whether attached or incorporated by reference, utilized for soliciting proposals.
22. Responsible Bidder or Offeror. A person who has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance, and who has been prequalified, if required.
23. Responsive Bidder. A person who has submitted a bid which conforms in all material respects to the invitation to bid.
24. Services. Any work performed by an independent contractor wherein the service rendered does not consist primarily of acquisition of equipment or materials, or the rental of equipment, materials and supplies.

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

- 25. Small Business. A United States business which is independently owned and which is not dominant in its field of operation or an affiliate or subsidiary of a business dominant in its field of operation.
- 26. Specification. Any description of the physical or functional characteristics, or of the nature of a good, service or construction item. It may include a description of any requirement for inspecting, testing, or preparing a good, service, or construction item for delivery.

D. Purchasing Authority

The purchasing authority shall be vested in the division superintendent. Nothing contained in this policy shall prevent the superintendent from designating a responsible person to perform such duties subject to his direction.

E. Delegation

The superintendent or his designee may delegate authority to purchase certain supplies, services, or construction items to school board employees, if such delegation is deemed necessary for the effective procurement of those items and is implemented in accordance with board policy and state statute.

F. Emergency/Small/Sole Source Purchases

Editor's Note: See School Board Policy # 4-29.

G. Competitive Sealed Bidding/Awards

Editor's Note: See School Board Policy # 4-32.

H. Competitive Negotiation

Editor's Note: See School Board Policy # 4-35.

I. Unauthorized Purchases

Except as provided in school board policies and/or division regulations, no employee shall purchase or contract for any goods, services, insurance, or construction within the purview of this policy other than by and through the purchasing authority and any purchase order or contract made contrary to the provisions hereof is not approved and the school board shall not be bound thereby.

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**Legal Reference:

Code of Va., § 11-35. Title; purpose; applicability.--" A. This chapter may be cited as the Virginia Public Procurement Act.

B. The purpose of this chapter is to enunciate the public policies pertaining to governmental procurement from nongovernmental sources, to include governmental procurement which may or may not result in monetary consideration for either party. This chapter shall apply whether the consideration is monetary or nonmonetary and regardless of whether the public body, the contractor, or some third party is providing the consideration.

C. The provisions of this chapter, however, shall not apply, except as stipulated in the provisions of §§ [11-41.1](#), [11-49](#), [11-51](#), [11-54](#), [11-56](#) through [11-61](#) and [11-72](#) through [11-80](#), to any town with a population of less than 3,500 as determined by the last official United States census.

D. Except to the extent adopted by such governing body, the provisions of this chapter also shall not apply, except as stipulated in subsection E, to any county, city or town whose governing body adopts by ordinance or resolution alternative policies and procedures which are based on competitive principles and which are generally applicable to procurement of goods and services by such governing body and the agencies thereof. This exemption shall be applicable only so long as such policies and procedures, or other policies and procedures meeting the requirements of this section, remain in effect in such county, city or town. Such policies and standards may provide for incentive contracting which offers a contractor whose bid is accepted the opportunity to share in any cost savings realized by the locality when project costs are reduced by such contractor, without affecting project quality, during construction of the project. The fee, if any, charged by the project engineer or architect for determining such cost savings shall be paid as a separate cost and shall not be calculated as part of any cost savings.

Except to the extent adopted by such school board, the provisions of this chapter shall not apply, except as stipulated in subsection E, to any school division whose school board adopts by policy or regulation alternative policies and procedures which are based on competitive principles and which are generally applicable to procurement of goods and services by such school board. This exemption shall be applicable only so long as such policies and procedures, or other policies or procedures meeting the requirements of this section, remain in effect in such school division. This provision shall not exempt any school division from any centralized purchasing ordinance duly adopted by a local governing body.

E. Notwithstanding the exemptions set forth in subsection D, the provisions of §§ [11-41](#)

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

C, [11-41.1](#), [11-46](#) B, [11-49](#), [11-51](#), [11-54](#), [11-56](#) through [11-61](#) and [11-72](#) through [11-80](#) shall apply to all counties, cities and school divisions, and to all towns having a population greater than 3,500 in the Commonwealth. The method for procurement of professional services set forth in subdivision 3 a of § [11-37](#) in the definition of competitive negotiation shall also apply to all counties, cities and school divisions, and to all towns having a population greater than 3,500, where the cost of the professional service is expected to exceed \$30,000 in the aggregate or for the sum of all phases of a contract or project. A school board that makes purchases through its public school foundation or purchases educational technology through its educational technology foundation, either as may be established pursuant to § [22.1-212.2:2](#) shall be exempt from the provisions of this chapter, except, relative to such purchases, the school board shall comply with the provisions of §§ [11-51](#) and [11-72](#) through [11-80](#); however, a school board that makes purchases through its public school foundation established pursuant § [22.1-212.2:2](#) shall not be exempt from the provisions of this chapter.

F. The provisions of this chapter shall not apply to those contracts entered into prior to January 1, 1983, which shall continue to be governed by the laws in effect at the time those contracts were executed.

G. To the end that public bodies in the Commonwealth obtain high quality goods and services at reasonable cost, that all procurement procedures be conducted in a fair and impartial manner with avoidance of any impropriety or appearance of impropriety, that all qualified vendors have access to public business and that no offeror be arbitrarily or capriciously excluded, it is the intent of the General Assembly that competition be sought to the maximum feasible degree, that individual public bodies enjoy broad flexibility in fashioning details of such competition, that the rules governing contract awards be made clear in advance of the competition, that specifications reflect the procurement needs of the purchasing body rather than being drawn to favor a particular vendor, and that the purchaser and vendor freely exchange information concerning what is sought to be procured and what is offered.

H. Notwithstanding the foregoing provisions of this section, the selection of services by the Virginia Retirement System related to the management, purchase or sale of authorized investments, including but not limited to actuarial services, shall be governed by the standard set forth in § [51.1-124.30](#) and shall not be subject to the provisions of this chapter.

I. The provisions of this chapter shall apply to procurement of any construction or planning and design services for construction by a Virginia not-for-profit corporation or organization not otherwise specifically exempted when the planning, design or construction is funded by state appropriations greater than \$10,000 unless the Virginia not-for-profit corporation or organization is obligated to conform to procurement

## BUSINESS AND NONINSTRUCTIONAL OPERATIONS

**Purchasing P 4-28**

procedures which are established by federal statutes or regulations, whether or not those federal procedures are in conformance with the provisions of this chapter.

J. The provisions of this chapter shall not apply to items purchased by public institutions of higher education for resale at retail bookstores and similar retail outlets operated by such institution. However, such purchase procedures shall provide for competition where practicable.

K. The provisions of this chapter shall not apply to the Virginia Port Authority in the exercise of any of its powers in accordance with Chapter 10 (§ [62.1-128](#) et seq.) of Title 62.1, provided the Authority implements, by policy or regulation adopted by the Board of Commissioners and approved by the Department of General Services, procedures to ensure fairness and competitiveness in the procurement of goods and services and in the administration of its capital outlay program. This exemption shall be applicable only so long as such policies and procedures meeting the requirements remain in effect.

L. Notwithstanding the foregoing provisions of this section, the selection of services by the Board of the Virginia Higher Education Tuition Trust Fund related to the operation and administration of the Fund, including, but not limited to, contracts or agreements for the management, purchase, or sale of authorized investments or actuarial, record-keeping, or consulting services, shall be governed by the standard set forth in § [23-38.80](#) and shall not be subject to the provisions of this chapter.

M. Notwithstanding the provisions of this section, the selection of services by the University of Virginia related to the management and investment of its endowment funds shall be governed by the Uniform Management of Institutional Funds Act (§ [55-268.1](#) et seq.) as required by § [23-76.1](#) and shall not be subject to the provisions of this chapter.

N. Notwithstanding the provisions of this section, the selection of investment management services by the State Treasurer related to the external management of funds shall be governed by the standard set forth in § [2.1-328.14](#), and shall be subject to competitive guidelines and policies that are set by the Commonwealth Treasury Board and approved by the Department of General Services; and not be subject to the provisions of this chapter."

Adopted by School Board: June 5, 1973  
Revised by School Board: August 2, 1983  
Revised by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** E-1

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Assistant Superintendent of Curriculum and Instruction

**Subject:** Textbook Adoption: History and Social Sciences – Secondary Level

## **Summary/Description:**

The Code of Virginia states that local school boards shall be responsible for the selection and for the utilization of instructional materials. On October 18, 2011, the school board appointed an evaluation committee to plan, coordinate, and oversee the textbook adoption process for the purpose of presenting the adoption recommendations to the school board.

The evaluation committee for K-12 social sciences and K-5 reading/language arts textbook and instructional materials met in December and January. The evaluation committee along with secondary teachers and administrators has completed the review process and offers the attached recommendations for the school board to consider.

The evaluation committee considered textbooks and materials based on their correlation with the History and Social Science Standards of Learning, the quality of their content and ancillary materials, and their appropriateness for students. Parents from each school were also involved in the review. Additionally errata sheets and correlation reports provided by the Virginia Department of Education (VDOE) were reviewed by the evaluation committee.

Social sciences materials adopted now will be purchased for a six-year period beginning with the 2012-13 school year. During the 2011-2012 school year, textbooks and their ancillary materials will be delivered to the warehouse and organized for distribution in 2012-13, allowing teachers to have all materials in place on the first day of the school year. Secondary teachers will be professionally trained in the use of the textbooks and ancillary materials by selected publishers on February 20, 2012, a division-level professional development day.



# Agenda Report

**Date:** 01/24/12

**Agenda Number:** E-1

**Attachments:** Yes

The evaluation committee recommends the adoption of seven secondary textbook bundles for use with standard and advanced history and social sciences courses. All can be found on the VDOE recommended textbook adoption list. Furthermore, the committee recommends four advanced placement textbooks for use in advanced placement history and social sciences courses. A comprehensive list of these products is attached.

**Disposition:**  Action  
 Information  
 Action at Meeting on: 02/07/12

## **Recommendation:**

The interim superintendent recommends that the school board accept this agenda report as an informational item and consider action at the school board meeting on February 7, 2012.

2011-2012 Secondary Textbook Adoption Recommendations  
 January 24, 2012

Level	Course	Recommended Text	Publisher	Price	Cost
6th	US History to 1865	Virginia Social Studies: Virginia, United States History to 1865	Houghton Mifflin Harcourt	\$67.50	\$43,200.00
7th	US History 1865 to Present	America: History of Our Nation, 1865 to Present, Virginia Edition	Pearson Education, Inc.	\$78.97	\$47,382.00
8th	Civics and Economics	Civics Today	Glencoe	\$74.49	\$46,184.00
9th	World History and Geography to 1500 A.D.	Ancient World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	\$50,519.00
9th Adv	Advanced World History and Geography to 1500 A.D.	Ancient World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	
10th	World History and Geography: 1500 A.D. to the Present	Modern World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	\$50,250.00
10 Adv	Advanced World History and Geography 1500 A.D. to the Present	Modern World History, Patterns of Interaction, Virginia Student Edition	Holt McDougal	\$83.75	
11th	Virginia and United States History	The Americans, Virginia Student Edition	Holt McDougal	\$86.30	\$54,369.00
11th Adv	Advanced Virginia and United States	The Americans, Virginia Student Edition	Holt McDougal	\$86.30	
12th	Virginia and United States Government	Foundations Series, American Government, with Virginia and United States Government	Pearson Education, Inc.	\$85.97	\$56,310.00
12th Adv	Advanced Virginia and United States Government	Prentice Hall Magruder's American Government, with Virginia and United States Government	Pearson Education, Inc.	\$85.97	
AP	AP Virginia and United States History	The Enduring Vision	Houghton Mifflin Harcourt	\$125.00	\$20,431.00
AP	AP US Government	Government by the People, 24th edition	Pearson Education, Inc.	\$120.00	\$21,000.00
AP	AP Comparative Government	AP Comparative Government and Politics: An Essential Coursebook	Woodyard	\$14.95	\$2,616.00
AP	AP European History	A History of the Modern Europe 3rd ed.	WW Norton	\$100.00	\$2,500.00
Total Cost					\$394,761.00

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** F-1

**Attachments:** No

**From:** Larry A. Massie, Interim Superintendent  
Anthony E. Beckles, Sr., Chief Financial Officer

**Subject:** Financial Audit for Fiscal Year Ended June 30, 2011

## **Summary/Description:**

Brown, Edwards & Company, LLP, has completed the financial audit of the Lynchburg City Schools. Mr. Norman Yoder, senior associate of Brown, Edwards & Company, LLP, will present the financial statements to the school board. Because the school board agreed to receive a joint report with the City of Lynchburg beginning with the 2002-03 audit, there is no separate Comprehensive Annual Financial Report (CAFR) for school funds.

The school administration forwarded a copy of the City of Lynchburg CAFR, which includes information about the Lynchburg City Schools, the audit committee letter, and the management letter to the school board members. School board members and the general public may obtain additional copies of the report from the Department of Finance.

Further, the financial audit of the Lynchburg City Schools Activity Funds for the year ended June 30, 2011, has been completed, and Mr. Yoder will present the audit and cash basis financial statements to the school board.

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

## **Recommendation:**

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

# Agenda Report

**Date:** 01/10/12

**Agenda Number:** F-2

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 7-41: Use of Drugs and Alcohol

## **Summary/Description:**

The school administration is reviewing school board policies and administrative regulations. As a result of that review, the school board policy regarding use of drugs and alcohol by students has been revised. A copy of the revisions to the policy appears as an attachment to this agenda report.

**Disposition:**  Action  
 Information  
 Action at Meeting on: 02/07/12

## **Recommendation:**

The interim superintendent recommends that the school board receive this agenda report as an informational item and consider action at the meeting on February 7, 2012.

## STUDENTS

**Use of Drugs and Alcohol P7-41**A. Drug Abuse1. Generally

As one of its major tasks, the school is responsible for providing a safe and healthy environment conducive to wholesome living and effective learning. To help provide such an environment, at a time when drug abuse is a serious social and health problem, the school board hereby establishes policies and procedures relative to drug abuse in the schools and on school property. This is necessary so that all school personnel (students as well as employees), local health agencies, local law enforcement officials, parents, and citizens of the community are aware of the role the school will play in any situation involving the possession of drugs with or without the intent to distribute and/or use at school.

2. Exemption

All students who take prescription medicine at school are required to furnish written permission from a parent/guardian and physician stating type, dosage, and duration of treatment.

3. Counseling Students

It should be the duty of every school to provide counseling on the use of drugs and report to the superintendent immediately any distribution and use of illegal drugs while on school property.

B. Sale, Distribution, Possession, and/or Use of Illegal Drugs or Look-alike Drugs

Any student apprehended selling, distributing, possessing using and/or under the influence of illegal or controlled drugs or look-alike drugs on school property shall be subject to the following disciplinary procedures:

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19); and
2. Notification of the police when illegal drugs or look-alike drugs are discovered on the school grounds, and the drugs will be turned over to the police; and
3. Recommendation by the school principal to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19); and

## STUDENTS

**Use of Drugs and Alcohol P7-41**

4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

**{The school board shall expel from school attendance any student whom the school board has determined to have brought a controlled substance, imitation controlled substance, or marijuana as defined in Va. Code § 18.2-247, or synthetic cannabinoids as defined in the Code of Virginia §18.2-248.1:1 onto school property or to a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate.}**

**C. Alcohol**

The use or possession of alcoholic beverages is strictly prohibited on school premises, at all school events, and while going to or from school. Any student apprehended using or possessing or under the influence of alcohol shall be subject to the following disciplinary procedures:

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19); and
2. Notification of the police when alcohol is discovered on the school grounds, and the alcohol shall be turned over to the police; and
3. Recommendation by the school principal to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19); and
4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

**{The school board shall expel from school attendance any student whom the school board has determined to have used, possessed, or been under**

## STUDENTS

**Use of Drugs and Alcohol P7-41**

**the influence of alcohol on school property or at a school-sponsored activity. The school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate.}**

Legal Reference:

Code of Va., §§ 4.1-309 Drinking or possessing alcoholic beverages in or on public school grounds; penalty A. No person shall possess or drink any alcoholic beverage in or upon the grounds of any public elementary or secondary school during school hours or school or student activities.

B. In addition, no person shall drink and no organization shall serve any alcoholic beverage in or upon the grounds of any public elementary or secondary school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

C. Any person convicted of a violation of this section shall be guilty of a Class 2 misdemeanor.

D. This section shall not prohibit any person from possessing or drinking alcoholic beverages or any organization from serving alcoholic beverages in areas approved by the Board at a performing arts center owned by any city having a population between 100,000 and 105,000, provided the organization operating the performing arts center or its lessee has a license granted by the Board. (1997)

Code of Va., §15.2-2801. Statewide regulation of smoking. A. The Commonwealth or any agency thereof and every locality shall provide reasonable no-smoking areas, considering the nature of the use and the size of the building, in any building owned or leased by the Commonwealth or any agency thereof or a locality. The provisions of this chapter shall not apply to office, work or other areas of the Department of Corrections which are not entered by the general public in the normal course of business or use of the premises.

B. Smoking shall be prohibited in (i) elevators, regardless of capacity, except in any open material hoist elevator, not intended for use by the public; (ii) public school buses; (iii) the interior of any public elementary, intermediate, and secondary school; however, smoking may be allowed by a local school division in a designated area which is not a common area, including but not limited to, a classroom, library, hallway, restroom, cafeteria, gymnasium, or auditorium after regular school hours so long as all student activities in the building have been concluded; (iv) hospital emergency rooms; (v) local or district health departments; (vi) polling rooms; (vii) indoor service lines and cashier lines; (viii) public restrooms in any building owned or leased by the Commonwealth or

## STUDENTS

**Use of Drugs and Alcohol P7-41**

any agency thereof; (ix) the interior of a child day center licensed pursuant to §63.1-196 that is not also used for residential purposes; however, this prohibition shall not apply to any area of a building not utilized by a child day center, unless otherwise prohibited by this chapter; and (x) public restrooms of health care facilities.

C. Any restaurant having a seating capacity of fifty or more persons shall have a designated no-smoking area sufficient to meet customer demand. In determining the extent of the no-smoking area, the following shall not be included as seating capacity: (i) seats in any bar or lounge area of a restaurant and (ii) seats in any separate room or section of a restaurant which is used exclusively for private functions.

D. The proprietor or other person in charge of an educational facility, except any public elementary, intermediate, or secondary school, health care facility, or a retail establishment of 15,000 square feet or more serving the general public, including, but not limited to, department stores, grocery stores, drug stores, clothing stores, shoe stores, and recreational facilities shall designate reasonable no-smoking areas, considering the nature of the use and the size of the building.

E. The proprietor or other person in charge of a space subject to the provisions of this chapter shall post signs conspicuous to public view stating "Smoking Permitted" or "No Smoking," and in restaurants, signs conspicuous to ordinary public view at or near each public entrance stating "No-Smoking Section Available." Any person failing to post such signs may be subject to a civil penalty of not more than twenty-five dollars.

F. No person shall smoke in a designated no-smoking area and any person who continues to smoke in such area after having been asked to refrain from smoking may be subject to a civil penalty of not more than twenty-five dollars.

G. Any law-enforcement officer may issue a summons regarding a violation of this chapter.

H. The provisions of this chapter shall not be construed to regulate smoking in retail tobacco stores, tobacco warehouses or tobacco manufacturing facilities.

Code of Va., § 16.1-278.9. Delinquent children; loss of driving privileges for alcohol and drug offenses. A. If a court has found facts which would justify a finding that a child at least thirteen years of age at the time of the offense is delinquent and such finding involves (i) a violation of §18.2-266 or of a similar ordinance of any county, city or town, (ii) a refusal to take a blood or breath test in violation of §18.2-268.2, (iii) a felony violation of §§18.2-248, 18.2-248.1 or §18.2-250, (iv) a misdemeanor violation of §§18.2-248, 18.2-248.1, or §18.2-250 or a violation of §18.2-250.1, (v) the unlawful purchase or possession of alcohol in violation of §4.1-305 or the unlawful drinking or possession of alcoholic beverages in or on public school grounds in violation of §4.1-



## STUDENTS

**Use of Drugs and Alcohol P7-41**

309, (vi) public intoxication in violation of § 18.2-388 or a similar ordinance of a county, city or town, or (vii) the unlawful use or possession of a handgun or possession of a "streetsweeper" as defined below, the court shall order that the child be denied a driver's license. In addition to any other penalty authorized by this section, if the offense involves a violation designated under clause (i) and the child was transporting a person seventeen years of age or younger, the court shall impose the additional fine and order community service as provided in § 18.2-270. If the offense involves a violation designated under clause (i), (ii), or (iii), the denial of a driver's license shall be for a period of one year or until the juvenile reaches the age of seventeen, whichever is longer, for a first such offense or for a period of one year or until the juvenile reaches the age of eighteen, whichever is longer, for a second or subsequent such offense. If the offense involves a violation designated under clause (iv), (v), or (vi) the denial of driving privileges shall be for a period of six months unless the offense is committed by a child under the age of sixteen, in which case the child's ability to apply for a driver's license shall be delayed for a period of six months following his sixteenth birthday. If the offense involves a violation designated under clause (i), (ii), (v), or (vi), the court shall impose the license sanction without entering a judgment of guilt and shall defer disposition of the delinquency charge until such time as the court disposes of the case pursuant to subsection F of this section. If the offense involves a violation designated under clause (iii) or (iv), the court shall impose the license sanction and shall dispose of the delinquency charge pursuant to the provisions of this chapter or §18.2-251. If the offense involves a violation designated under clause (vii), the denial of driving privileges shall be for a period of not less than thirty days, except when the offense involves possession of a concealed handgun or a striker 12, commonly called a "streetsweeper," or any semi-automatic folding stock shotgun of like kind with a spring tension drum magazine capable of holding twelve shotgun shells, in which case the denial of driving privileges shall be for a period of two years unless the offense is committed by a child under the age of sixteen, in which event the child's ability to apply for a driver's license shall be delayed for a period of two years following his sixteenth birthday.

B. Any child who has a driver's license at the time of the offense shall be ordered to surrender his driver's license, which shall be held in the physical custody of the court during any period of license denial.

C. The court shall report any order issued under this section to the Department of Motor Vehicles, which shall preserve a record thereof. The report and the record shall include a statement as to whether the child was represented by or waived counsel. Notwithstanding the provisions of Article 12 (§16.1-299 et seq.) of this chapter or the provisions of Title 46.2, this record shall be available only to all law-enforcement officers, attorneys for the Commonwealth and courts. No other record of the proceeding shall be forwarded to the Department of Motor Vehicles unless the proceeding results in an adjudication of guilt pursuant to subsection F.

## STUDENTS

**Use of Drugs and Alcohol P7-41**

The Department of Motor Vehicles shall refuse to issue a driver's license to any child denied a driver's license until such time as is stipulated in the court order or until notification by the court of withdrawal of the order of denial under subsection E.

D. If the finding as to the child involves a violation designated under clause (i), (ii), (iii), or (vi) of subsection A, the child may be referred to a certified alcohol safety action program in accordance with §18.2-271.1 upon such terms and conditions as the court may set forth. If the finding as to such child involves a violation designated under clause (iii), (iv), (v) or (vii) of subsection A, such child may be referred to appropriate rehabilitative or educational services upon such terms and conditions as the court may set forth. The court, in its discretion and upon a demonstration of hardship, may authorize the use of a restricted permit to operate a motor vehicle by any child who has a driver's license at the time of the offense for any of the purposes set forth in subsection E of §18.2-271.1 or for travel to and from school, except that no restricted license shall be issued if the finding as to such child involves a violation designated under clause (iii) or (iv) of subsection A, or if it involves a second or subsequent violation of any offense designated in subsection A. The issuance of the restricted permit shall be set forth within the court order, a copy of which shall be provided to the child, and shall specifically enumerate the restrictions imposed and contain such information regarding the child as is reasonably necessary to identify him. The child may operate a motor vehicle under the court order in accordance with its terms. Any child who operates a motor vehicle in violation of any restrictions imposed pursuant to this section shall be guilty of a violation of §46.2-301.

E. Upon petition made at least ninety days after issuance of the order, the court may review and withdraw any order of denial of a driver's license if for a first such offense. For a second or subsequent such offense, the order may not be reviewed and withdrawn until one year after its issuance.

F. If the finding as to such child involves a violation designated under clause (i), (ii), (v), (vi) or (vii) of subsection A, upon fulfillment of the terms and conditions prescribed by the court and after the child's driver's license has been restored, the court shall or, in the event the violation resulted in the injury or death of any person, may discharge the child and dismiss the proceedings against him. Discharge and dismissal under these provisions shall be without an adjudication of guilt but a record of the proceeding shall be retained for the purpose of applying this section in subsequent proceedings. Failure of the child to fulfill such terms and conditions shall result in an adjudication of guilt. If the finding as to such child involves a violation designated under clause (iii) or (iv) of subsection A, the charge shall not be dismissed pursuant to this subsection but shall be disposed of pursuant to the provisions of this chapter or § 18.2-251. (1997)

Code of Va., § 18.2-247. Use of terms "controlled substances," "marijuana," "Schedules I, II, III, IV, V and VI" and "imitation controlled substance" in Title 18.2. Use

## STUDENTS

**Use of Drugs and Alcohol P7-41**

of terms "controlled substances," "marijuana," "Schedules I, II, III, IV, V and VI" and "imitation controlled substance" in Title 18.2 A. Wherever the terms "controlled substances," "marijuana" and "Schedules I, II, III, IV, V and VI" are used in Title 18.2, such terms refer to those terms as they are used or defined in the Drug Control Act, Chapter 34 of Title 54.1.

B. The term "imitation controlled substance" when used in this article means a pill, capsule, tablet, or substance in any form whatsoever which is not a controlled substance subject to abuse, and:

1. Which by overall dosage unit appearance, including color, shape, size, marking and packaging or by representations made, would cause the likelihood that such a pill, capsule, or tablet will be mistaken for a controlled substance unless such substance was introduced into commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate; or

2. Which by express or implied representations purports to act like a controlled substance as a stimulant or depressant of the central nervous system and which is not commonly used or recognized for use in that particular formulation for any purpose other than for such stimulant or depressant effect, unless marketed, promoted, or sold as permitted by the United States Food and Drug Administration.

C. In determining whether a pill, capsule, tablet, or substance in any other form whatsoever, is an "imitation controlled substance," there shall be considered, in addition to all other relevant factors, comparisons with accepted methods of marketing for legitimate nonprescription drugs for medicinal purposes rather than for drug abuse or any similar nonmedicinal use, including consideration of the packaging of the drug and its appearance in overall finished dosage form, promotional materials or representations, oral or written, concerning the drug, and the methods of distribution of the drug and where and how it is sold to the public.

Code of Va., § 18.2-255. Distribution of certain drugs to persons under eighteen prohibited. A. Except as authorized in the Drug Control Act, Chapter 34 of Title 54.1, it shall be unlawful for any person who is at least eighteen years of age to knowingly or intentionally (i) distribute any drug classified in Schedule I, II, III or IV or marijuana to any person under eighteen years of age who is at least three years his junior or (ii) cause any person under eighteen years of age who is at least three years his junior to assist in such distribution of any drug classified in Schedule I, II, III or IV or marijuana. Any person violating this provision shall upon conviction be imprisoned in a state correctional facility for a period not less than ten nor more than fifty years, and fined not more than \$100,000. Five years of the sentence imposed shall not be suspended, in whole or in part for a conviction under this section involving a Schedule I or II controlled substance or one ounce or more of marijuana. Two years of the sentence imposed shall

## STUDENTS

**Use of Drugs and Alcohol P7-41**

not be suspended, in whole or in part, for a conviction involving less than one ounce of marijuana.

B. It shall be unlawful for any person who is at least eighteen years of age to knowingly or intentionally (i) distribute any imitation controlled substance to a person under eighteen years of age who is at least three years his junior or (ii) cause any person under eighteen years of age who is at least three years his junior to assist in such distribution of any imitation controlled substance. Any person violating this provision shall be guilty of a Class 6 felony. (1997)

Code of Va., § 18.2-255.2. Prohibiting the sale of drugs on or near certain properties. Prohibiting the sale of drugs on or near certain properties "A. It shall be unlawful for any person to manufacture, sell or distribute or possess with intent to sell, give or distribute any controlled substance, imitation controlled substance or marijuana while (i) upon the property, including buildings and grounds, of any public or private elementary, secondary, or post secondary school, or any public or private two-year or four-year institution of higher education; (ii) upon public property or any property open to public use within 1,000 feet of such school property; (iii) on any school bus as defined in § [46.2-100](#); (iv) upon a school bus stop, or upon either public property or any property open to public use which is within 1,000 feet of such school bus stop, during the time when school children are waiting to be picked up and transported to or are being dropped off from school or a school-sponsored activity; (v) upon the property, including buildings and grounds, of any publicly owned or publicly operated recreation or community center facility or any public library; or (vi) upon the property of any state hospital as defined in § [37.1-1](#) or upon public property or property open to public use within 1,000 feet of such an institution. Nothing in this section shall prohibit the authorized distribution of controlled substances.

B. Violation of this section shall constitute a separate and distinct felony. Any person violating the provisions of this section shall, upon conviction, be imprisoned for a term of not less than one year nor more than five years and fined not more than \$100,000. However, if such person proves that he sold such controlled substance or marijuana only as an accommodation to another individual and not with intent to profit thereby from any consideration received or expected nor to induce the recipient or intended recipient of the controlled substance or marijuana to use or become addicted to or dependent upon such controlled substance or marijuana, he shall be guilty of a Class 1 misdemeanor.

C. If a person commits an act violating the provisions of this section, and the same act also violates another provision of law that provides for penalties greater than those provided for by this section, then nothing in this section shall prohibit or bar any prosecution or proceeding under that other provision of law or the imposition of any penalties provided for thereby."

STUDENTS

**Use of Drugs and Alcohol P7-41**

Code of Va., §22.1-277.01 Expulsion of students for certain drug offenses

"A. School boards shall expel from school attendance any student whom such school board has determined, in accordance with the procedures set forth in § 22.1-277, to have brought a controlled substance, imitation controlled substance, or marijuana as defined in § [18.2-247](#) onto school property or to a school-sponsored activity. A school board may, however, determine, based on the facts of the particular case, that special circumstances exist and another disciplinary action is appropriate. In addition, a school board may, by regulation, authorize the division superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in § 22.1-277.

B. Each school board shall revise its standards of student conduct to incorporate the requirements of this section no later than three months after the date on which this act becomes effective."

- Adopted by School Board: November 21, 1972
- Revised by School Board: November 20, 1973
- Revised by School Board: September 17, 1974
- Revised by School Board: September 7, 1976
- Revised by School Board: July 8, 1986
- Revised by School Board: August 9, 1988
- Revised by School Board: August 1, 1989
- Revised by School Board: August 2, 1994
- Revised by School Board: October 3, 1995
- Revised by School Board: March 16, 1999
- Revised by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** F-3

**Attachments:** Yes

**From:** Larry A. Massie, Interim Superintendent  
William A. Coleman, Jr., Assistant Superintendent of Curriculum and Instruction

**Subject:** School Board Policy 7-48: Weapons/Explosives

## **Summary/Description:**

The school administration is reviewing school board policies and administrative regulations. As a result of that review, the school board policy regarding the use and possession of weapons/explosives by students has been revised. A copy of the revisions to the policy appears as an attachment to this agenda report.

**Disposition:**  Action  
 Information  
 Action at Meeting on: 02/07/12

## **Recommendation:**

The interim superintendent recommends that the school board receive this agenda report as an informational item and consider action at the meeting on February 7, 2012.

## STUDENTS

**Weapons/Explosives P7-48**A. Definitions

1. Weapons: Weapons include firearms, knives, look-a-like weapons and other dangerous objects or instruments.
2. Explosives. Explosives include fireworks, firecrackers, dynamite, dynamite caps and other explosive substances or devices.
3. Objects as Weapons: The use of any object or device by a student in a manner that may cause injury to or intimidation of another person may subject the student to discipline under this section. Some examples would be laser pointers or devices directed toward the face of another person, compasses used to strike or threaten another person, etc.
4. **Destructive Device: (1) Any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (2) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in Va. Code § 18.2-299 or any firearm prohibited from civilian ownership by federal law; and (3) any combination of parts either designed or intended for use in converting any device into any destructive device described herein and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of Va. Code § 18.2-308.2:2.**
5. Firearm: Any weapon prohibited on school property or at a school-sponsored activity pursuant to Va. Code § 18.2-308.1, or (1) any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material; (2) the frame or receiver of any such weapon; or (3) any unloaded firearm in a closed container. "Firearm" does not include any pneumatic gun as defined in this Policy.

## STUDENTS

**Weapons/Explosives P7-48**

6. **Pneumatic gun**: Any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure. "Pneumatic gun" includes a paintball gun that expels by action of pneumatic pressure plastic balls filled with paint for the purpose of marking the point of impact.}

B. Restrictions

Students shall not possess or have on their person, in their locker, vehicle, on school grounds, at school-sponsored functions or extracurricular activities, or on any school bus any weapons and/or explosives. In addition to any discipline by school administrators, as provided in Policy 7-19, violators will be subject to prosecution as provided by State law.

C. Exemptions

~~The provisions of this policy shall not apply to students who carry such weapons or explosives as a part of the school curriculum or community-sponsored programs approved by the school board.~~ **{The provisions of this policy shall not apply to persons who possess such firearm or firearms as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.}**

## D. Any violations of this policy shall result in

1. Notification of the superintendent's office and immediate suspension from school (pursuant to Policy 7-19) and;
2. Confiscated weapons and/or explosives being turned over to the police department for appropriate action and;
3. Recommendation by the school official to the superintendent for suspension from school for a minimum of 365 calendar days from the date of the violation, expulsion from school, or alternative educational placement (pursuant to Policy 7-19) and;
4. Referral to the Family Assessment and Planning Team.

The superintendent may recommend to the school board any combination of the school official's recommendations as outlined in numbers three and four above.

**{The school board shall expel from school attendance for a period of not less**



## STUDENTS

**Weapons/Explosives P7-48**

than one year any student whom such school board has determined to have possessed a firearm on school property or at a school-sponsored activity as prohibited by Va. Code § 18.2-308.1, or to have possessed a firearm or destructive device as defined in this policy, a firearm muffler or firearm silencer, or a pneumatic gun as defined in this policy on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate.

The exemptions set out in Va. Code § 18.2-308 regarding concealed weapons shall apply, *mutatis mutandis*, to the provisions of this Policy.}

Legal Reference:

Code of Va., § 18.2-308.1 Possession of firearm, stun weapon, or other weapon on school property prohibited

“A. If any person possesses any (i) stun weapon as defined in this section; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) weapon, including a weapon of like kind, designated in subsection A of § [18.2-308](#), other than a firearm; upon (a) the property of any public, private or religious elementary, middle or high school, including buildings and grounds; (b) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (c) any school bus owned or operated by any such school, he shall be guilty of a Class 1 misdemeanor.

B. If any person possesses any firearm designed or intended to expel a projectile by action of an explosion of a combustible material while such person is upon (i) any public, private or religious elementary, middle or high school, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school, he shall be guilty of a Class 6 felony; however, if the person possesses any firearm within a public, private or religious elementary, middle or high school building and intends to use, or attempts to use, such firearm, or displays such weapon in a threatening manner, such person shall be sentenced to a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence.

## STUDENTS

**Weapons/Explosives P7-48**

The exemptions set out in § [18.2-308](#) shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to (i) persons who possess such weapon or weapons as a part of the school's curriculum or activities; (ii) a person possessing a knife customarily used for food preparation or service and using it for such purpose; (iii) persons who possess such weapon or weapons as a part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises; (iv) any law-enforcement officer; (v) any person who possesses a knife or blade which he uses customarily in his trade; (vi) a person who possesses an unloaded firearm that is in a closed container, or a knife having a metal blade, in or upon a motor vehicle, or an unloaded shotgun or rifle in a firearms rack in or upon a motor vehicle; or (vii) a person who has a valid concealed handgun permit and possesses a concealed handgun while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. For the purposes of this paragraph, "weapon" includes a knife having a metal blade of three inches or longer and "closed container" includes a locked vehicle trunk.

As used in this section:

"Stun weapon" means any device that emits a momentary or pulsed output, which is electrical, audible, optical or electromagnetic in nature and which is designed to temporarily incapacitate a person. "

(1979, c. 467; 1988, c. 493; 1990, cc. 635, 744; 1991, c. 579; 1992, cc. 727, 735; 1995, c. 511; 1999, cc. 587, 829, 846; 2001, c. 403; 2003, cc. 619, 976; 2004, cc. 128, 461; 2005, cc. 830, 928; 2007, c. 519.)

Code of Va., §22.1-277.07.. Expulsion of students under certain circumstances; exceptions.

"A. In compliance with the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994), a school board shall expel from school attendance for a period of not less than one year any student whom such school board has determined, in accordance with the procedures set forth in this article, to have possessed a firearm on school property or at a school-sponsored activity as prohibited by § [18.2-308.1](#); to have possessed a firearm or destructive device as defined in subsection E, a firearm muffler or firearm silencer, or a pneumatic gun as defined in subsection E of § [15.2-915.4](#) on school property or at a school-sponsored activity. A school administrator, pursuant to school board policy, or a school board may, however, determine, based on the facts of a particular situation, that special circumstances exist and no disciplinary action or another disciplinary action or another term of expulsion is appropriate. A school board may promulgate guidelines for determining what constitutes special circumstances. In addition, a school board may, by regulation, authorize the division

## STUDENTS

**Weapons/Explosives P7-48**

superintendent or his designee to conduct a preliminary review of such cases to determine whether a disciplinary action other than expulsion is appropriate. Such regulations shall ensure that, if a determination is made that another disciplinary action is appropriate, any such subsequent disciplinary action is to be taken in accordance with the procedures set forth in this article.

B. The Board of Education is designated as the state education agency to carry out the provisions of the federal Improving America's Schools Act of 1994, and shall administer the funds to be appropriated to the Commonwealth under this act.

C. Each school board shall revise its standards of student conduct no later than three months after the date on which this act becomes effective. Local school boards requesting moneys apportioned to the Commonwealth through the federal Improving America's Schools Act of 1994 shall submit to the Department of Education an application requesting such assistance. Applications for assistance shall include:

1. Documentation that the local school board has adopted and implemented student conduct policies in compliance with this section; and

2. A description of the circumstances pertaining to expulsions imposed under this section, including (i) the schools from which students were expelled under this section, (ii) the number of students expelled from each such school in the school division during the school year, and (iii) the types of firearms involved in the expulsions.

D. No school operating a Junior Reserve Officers Training Corps (JROTC) program shall prohibit the JROTC program from conducting marksmanship training when such training is a normal element of such programs. Such programs may include training in the use of pneumatic guns. The administration of a school operating a JROTC program shall cooperate with the JROTC staff in implementing such marksmanship training.

E. As used in this section:

"Destructive device" means (i) any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device; (ii) any weapon, except a shotgun or a shotgun shell generally recognized as particularly suitable for sporting purposes, by whatever name known that will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, and that has any barrel with a bore of more than one-half inch in diameter that is homemade or was not made by a duly licensed weapon manufacturer, any fully automatic firearm, any sawed-off shotgun or sawed-off rifle as defined in § [18.2-299](#) or any firearm prohibited from civilian ownership by federal law; and (iii) any combination of parts either designed or intended for use in converting any device into any destructive device

## STUDENTS

**Weapons/Explosives P7-48**

described in this subsection and from which a destructive device may be readily assembled. "Destructive device" shall not include any device that is not designed or redesigned for use as a weapon, or any device originally designed for use as a weapon and that is redesigned for use as a signaling, pyrotechnic, line-throwing, safety, or other similar device, nor shall it include any antique firearm as defined in subsection G of § [18.2-308.2:2](#).

"Firearm" means any weapon prohibited on school property or at a school-sponsored activity pursuant to § [18.2-308.1](#), or any weapon, including a starter gun, that will, or is designed or may readily be converted to, expel single or multiple projectiles by the action of an explosion of a combustible material or the frame or receiver of any such weapon. "Firearm" shall not include any pneumatic gun, as defined in subsection E of § [15.2-915.4](#).

"One year" means 365 calendar days as required in federal regulations.

"School property" means any real property owned or leased by the school board or any vehicle owned or leased by the school board or operated by or on behalf of the school board.

F. The exemptions set out in § [18.2-308](#) regarding concealed weapons shall apply, mutatis mutandis, to the provisions of this section. The provisions of this section shall not apply to persons who possess such firearm or firearms or pneumatic guns as a part of the curriculum or other programs sponsored by the schools in the school division or any organization permitted by the school to use its premises or to any law-enforcement officer while engaged in his duties as such.

G. This section shall not be construed to diminish the authority of the Board of Education or the Governor concerning decisions on whether, or the extent to which, Virginia shall participate in the federal Improving America's Schools Act of 1994, or to diminish the Governor's authority to coordinate and provide policy direction on official communications between the Commonwealth and the United States government."

(1995, cc. 724, 801; 1999, cc. 707, 1027; 2000, c. 523, § [22.1-277.01](#); 2001, cc. 688, 820; 2003, cc. 843, 976; 2004, c. 930; 2006, c. 703.)

Adopted by School Board: December 4, 1990  
Revised by School Board: July 5, 1994  
Revised by School Board: October 3, 1995  
Revised by School Board: January 19, 1999  
Revised by School Board:

# Agenda Report

**Date:** 01/24/12

**Agenda Number:** F-4

**Attachments:** No

**From:** Larry A. Massie, Interim Superintendent

**Subject:** Recommendation of Architect Selection Committee

**Summary/Description:**

During this presentation, the superintendent will recommend individuals to participate on the Architect Selection Committee for the Heritage High School capital improvement project.

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

**Recommendation:**

The interim superintendent recommends that the school board approve the membership of the Architect Selection Committee.