



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

Lynchburg City School Board

Mary Ann H. Barker, Chairman
School Board District 1

Thomas H. Webb, Vice Chairman
School Board District 2

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School Board District 2

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School Board District 3

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School Board District 1

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School Board District 2

Ingrid M. Hamlett
School Board District 3

Treney L. Tweedy
School Board District 3

Charles B. White
School Board District 1

**SCHOOL BOARD MEETING
March 23, 2010 5:30 p.m.
School Administration Building
Board Room**

A. PUBLIC HEARING

- 1. Public Hearing
Paul McKendrick.Page 1
Discussion

B. CLOSED MEETING

- 1. Notice of Closed Meeting
Paul McKendrick.Page 2
Discussion/Action
- 2. Certification of Closed Meeting
Paul McKendrick.Page 3
Discussion/Action

C. UNFINISHED BUSINESS

- 1. School Operating Budget: 2010-11
Paul McKendrick.Page 4
Discussion/Action
- 2. School Calendar: 2010-11
Stephen C. Smith.Page 5
Discussion/Action
- 3. Hutcherson Early Learning Center
Paul McKendrick.Page 9
Discussion/Action
- 4. School Board Policy 5-18: Reduction in Force
Paul McKendrick.Page 10
Discussion/Action

School Administration

Paul McKendrick
Superintendent

Stephen C. Smith
Assistant Superintendent of
Curriculum and Instruction

Edward R. Witt, Jr.
Assistant Superintendent of
Operations and Administration

Beverly A. Padgett
Chief Financial Officer

Wendie L. Sullivan
Clerk

5. School Calendar: 2009-10
Paul McKendrick. Page 21
Discussion/Action

F. NEW BUSINESS

G. SUPERINTENDENT'S COMMENTS

H. BOARD COMMENTS

I. INFORMATIONAL ITEMS

Next School Board Meeting: Tuesday, April 6, 2010, 5:30 p.m.
Board Room, School Administration Building

J. ADJOURNMENT

Agenda Report

Date: 03/23/10

Agenda Number: A-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Public Hearing

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

Agenda Report

Date: 03/23/10

Agenda Number: B-1

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Notice of Closed Meeting

Summary/Description:

Pursuant to the Code of Virginia §2.2-3711 (A) (1), the school board needs to convene a closed meeting for the purpose of discussing the following specific matters:

Employee Assignments

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

Recommendation:

The superintendent recommends that the school board approve a motion to enter into Closed Meeting in accordance with the Code of Virginia §2.2-3711 (A) (1) for the purpose of considering several employee assignments.

Agenda Report

Date: 03/23/10

Agenda Number: B-2

Attachments: No

From: Paul McKendrick, Superintendent

Subject: Certification of Closed Meeting

Summary/Description:

The Lynchburg City School Board certifies that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in a closed meeting and lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.

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

Recommendation:

The superintendent recommends that the school board approve the Certification of Closed Meeting in accordance with the Code of Virginia §2.2-3712(D).

Agenda Report

Date: 03/23/10

Agenda Number: C-1

Attachments: No

From: Paul McKendrick, Superintendent
Beverly A. Padgett, Chief Financial Officer

Subject: School Operating Budget: 2010-11

Summary/Description:

The school board conducted a special meeting on March 18, 2010, to discuss the school administration's proposed budget and to consider which of those recommendations would be included in the FY 2010-11 school operating budget.

This presentation will include further discussion of the aforementioned recommendations. Further, the school board will consider adopting its school operating budget for FY 2010-11.

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

Recommendation:

The superintendent recommends that the school board adopt its school operating budget for 2010-11 and forward the document to the Lynchburg City Council for its consideration.

Agenda Report

Date: 03/23/10

Agenda Number: C-2

Attachments: Yes

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: School Calendar: 2010-11

Summary/Description:

During the school board meetings on March 2, March 9, and March 16, 2010, members of the school board received information related to a proposed Lynchburg City Schools academic calendar for 2010-11. The school administration developed this calendar proposal in light of the current budget crisis, and it has at its core a reduction in the number of work days for all employee groups as well as reductions in annual operating expenses. The annual operating expense reductions are related to the elimination of the for-credit high school summer program, an additional one-week shut down of facilities, reduced transportation expenses related to the removal of the optional first period bus runs, and the reduced student instructional days from 180 to 172.

In order to account for the fewer number of instructional days, the school administration recommends additional instructional time at each level. The following tables provide the current and proposed times for students and staff.

Program	Current Student Day			Proposed Student Day		
	Start	End	Elapsed	Start	End	Elapsed
High (7)	7:08	2:25	437 min	7:40	2:45	425 min
High (6)	8:00	2:25	385 min	----	----	----
Middle	8:20	2:55	395 min	8:15	3:20	425 min
Elem	8:55	3:30	395 min	8:45	3:50	425 min

Program	Current Staff Day			Proposed Staff Day		
	Start	End	Elapsed	Start	End	Elapsed
High (7)	7:00	2:30	450 min	7:30	3:00	450 min
High (6)	7:40	3:10	450 min	----	----	----
Middle	8:00	3:30	450 min	8:00	3:30	450 min
Elem	8:15	3:45	450 min	8:30	4:00	450 min

Agenda Report

Date: 03/23/10

Agenda Number: C-2

Attachments: Yes

Additional components of this proposal include the following:

- 1) the replacement of the optional first-period with a seven-period high school day
- 2) the removal of the current high school exam structure
- 3) the addition of study halls and repeat courses in high school
- 4) the addition of a senior early release option
- 5) the addition of elementary early dismissal days at the end of each six-weeks
- 6) the removal of seven work and professional development days
- 7) the lengthening of the winter break
- 8) the placement of spring break at the week prior to Easter
- 9) the last day of instruction, May 27, 2011
- 10) the scheduling of graduation on Sunday, May 29, 2011

The school administration conducted an electronic survey of employees and recorded more than 640 responses. Eighty-one percent were in favor of the proposed calendar, 10 percent were opposed, and nine percent were undecided. Feedback from the community was much more limited, with 12 responses in favor and nine opposed.

At the March 16, 2010, school board meeting, members of the administration shared the instructional benefits and challenges of the proposal. The school administration believes that, on balance across all three grade levels, the benefits of the proposal outweigh the challenges.

A calendar for William Marvin Bass Elementary School has been designed to align with the proposed school division calendar, and copies of both are provided as attachments to this agenda report.

During this presentation, the school administration will answer any questions regarding the recommended 2010-11 school calendar.

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

Recommendation:

The superintendent recommends that the school board consider the recommended 2010-11 Lynchburg City Schools academic calendar and the William Marvin Bass Elementary School 2010-11 academic calendar.



Lynchburg City Schools Academic Calendar 2010-2011

KEY

- 1** End of First Grading Period (elementary early dismissal)
- 2** End of Second Grading Period (elementary early dismissal)
- 3** End of Third Grading Period (elementary early dismissal)
- 4** End of Fourth Grading Period (elementary early dismissal)
- 5** End of Fifth Grading Period (elementary early dismissal)
- 6** End of Sixth Grading Period (elementary early dismissal)
- EL** Election Day (This Day Accounts for the Evening Conferences Teachers Work): students do not attend
- F** First Day of School
- G** Graduation-teacher workday-only graduating students attend
- H** Holiday-teachers and students do not attend
- N** New Teacher Orientation-students do not attend
- Pd** Professional Development Day-students do not attend
- S** Spring Break-teachers and students do not attend
- T** Teacher Workday-students do not attend
- W** Winter Break-teachers and students do not attend

Inclement Weather Make-up Procedure: Section 22.1-98 the Code of Virginia requires that school divisions, in the event of severe weather conditions or other emergency situations, make up the first five days plus one day for each two days missed in excess of the first five. Further, "when severe weather conditions or other emergency situations have resulted in the closing of any school in a school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement." Due to the calendar and daily schedule at each level exceeding the annual required 990 instructional hours by more than 55 additional hours, no adjustments to the schedule will be necessary unless more than 16 days are missed.

Jewish Holidays: Please be aware that Jewish students, parents, and staff may be unable to attend special functions during the school days and evenings noted: Sundown 9/8 to sundown 9/10 is Rosh Hashanah, Sundown 9/17 to Sundown 9/18 is Yom Kippur, and Passover begins at sundown on April 18, 2011.

Student Daily Schedules
 Elementary: 8:45 - 3:50
 Middle: 8:15 - 3:20
 High: 7:40 - 2:45

Instructional Days = 172
 1st Sem 29 + 29 + 26 = 84
 2nd Sem 29 + 29 + 30 = 88

<p style="text-align: center;">July 2010</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td></tr> </table>	S	M	T	W	T	F	S					1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	<p style="text-align: center;">August 2010</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>8</td><td>N</td><td>N</td><td>N</td><td>N</td><td>N</td><td>14</td></tr> <tr><td>15</td><td>T</td><td>T</td><td>T</td><td>T</td><td>T</td><td>21</td></tr> <tr><td>22</td><td>F</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td></tr> <tr><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td><td></td></tr> </table>	S	M	T	W	T	F	S	1	2	3	4	5	6	7	8	N	N	N	N	N	14	15	T	T	T	T	T	21	22	F	24	25	26	27	28	29	30	31					<p style="text-align: center;">September 2010</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>S</td><td>M</td><td>T</td><td>W</td><td>T</td><td>F</td><td>S</td></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>H</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td></td><td></td></tr> </table>	S	M	T	W	T	F	S				1	2	3	4	5	H	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30									
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Parent-Teacher Conferences: Conferences will be held after the end of the first six weeks on two evenings from 3:45 p.m. to 7:30 p.m. according to a schedule which will be made available at the beginning of the school year. Details regarding how to schedule conferences at each school will also be provided in the fall.

Revised 3/16/10



**WM Bass ES
Academic
Calendar**



2010 - 2011 William Marvin Bass Elementary School

KEY

- 1 End of First Grading Period (elementary early dismissal)
- 2 End of Second Grading Period (elementary early dismissal)
- 3 End of Third Grading Period (elementary early dismissal)
- 4 End of Fourth Grading Period (elementary early dismissal)
- 5 End of Fifth Grading Period (elementary early dismissal)
- 6 End of Sixth Grading Period (elementary early dismissal)
- EL Election Day (This Day Accounts for the Evening Conferences Teachers Work): students do not attend
- F First Day of School
- H Holiday-teachers and students do not attend
- I Intersession-only invited students attend
- Pd Professional Development-students do not attend
- S Spring Break-teachers and students do not attend
- T Teacher Workday-students do not attend
- TH Teacher Work Time (half day)-students do not attend
- W Winter Break-teachers and students do not attend

Inclement Weather Make-up Procedure: Section 22.1-98 the Code of Virginia requires that school divisions, in the event of severe weather conditions or other emergency situations, make up the first five days plus one day for each two days missed in excess of the first five. Further, "when severe weather conditions or other emergency situations have resulted in the closing of any school in a school division and such school has been unable to meet the 180 teaching day requirement, the school division may make up the missed teaching days by providing its students with instructional hours equivalent to such missed teaching days to meet the minimum 990 teaching hour requirement." Due to the calendar and daily schedule at each level exceeding the annual required 990 instructional hours by more than 55 additional hours, no adjustments to the schedule will be necessary unless more than 16 days are missed.

Jewish Holidays: Please be aware that Jewish students, parents, and staff may be unable to attend special functions during the school days and evenings noted: Sundown 9/18 to sundown 9/20 is Rosh Hashanah, Sundown 9/27 to Sundown 9/28 is Yom Kippur, and Passover begins at sundown on 3/29.

Total Student Days = 172
 1st Sem 29+28+27=84
 2nd Sem 29+29+30=88

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April 2011	May 2011	June 2011
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Parent-Teacher Conferences:

Conferences will be held on Tuesday, August 24, 2010, and Thursday, August 26, 2010, from 3:45 p.m. to 7:30 p.m. Details regarding how to schedule conferences at William Marvin Bass Elementary School will be provided in the fall.

Revised 3/16/10

Agenda Report

Date: 03/23/10

Agenda Number: C-3

Attachments: No

From: Paul McKendrick, Superintendent
Stephen C. Smith, Assistant Superintendent of Curriculum and Instruction

Subject: Hutcherson Early Learning Center

Summary/Description:

The school administration recommends the closing of the Hutcherson Early Learning Center due, in part, to the budget shortfall of more than \$8 million during the 2010-11 fiscal year and because of needed renovations to the building. Those costs are projected to amount to more than \$3.5 million.

Proposed budget allocations from the state and the local government requires that the Lynchburg City Schools develop an operating budget for 2010-11 that reflects an approximate 10 percent reduction in revenue as compared to 2009-10. In its budget development deliberations, the school administration has considered the efficient utilization of existing facilities as well as the closing of one or more sites.

During the school board meeting on March 16, 2010, the school administration summarized projected savings of \$56,000 in annual operational costs associated with closing the Hutcherson Early Learning Center (HELC) site and relocating the program to Perrymont Elementary School. The school administration also presented information that outlined the available space at Perrymont Elementary School that would allow for the relocation of the HELC program thereby maximizing the efficient use of the Perrymont Elementary School facility. In addition, the school administration projects that the future capital expenditures of \$3.5 - \$4 million would be eliminated by closing the HELC site. Therefore, because of the aforementioned, the superintendent recommends the closing of the site and its relocation to Perrymont Elementary School.

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

Recommendation:

The superintendent recommends that the school board approve the recommendation to close the Hutcherson Early Learning Center site and relocate the program to Perrymont Elementary School.

Agenda Report

Date: 03/23/10

Agenda Number: C-4

Attachments: Yes

From: Paul McKendrick, Superintendent

Subject: School Board Policy 5-18: Reduction in Force

Summary/Description:

The school administration amended School Board Policy 5-18 Reduction in Force at the request of the Lynchburg City School Board. The school board's primary purpose reflected its interest in amending the policy so that the school division recognized service credit for part-time employees. The attached document provides that language. This newly-amended policy also includes language which depicts several other proposed changes, including a time limit for recall rights, the categorization of teacher assistants, the placement of employees on the reduction in force list if they are on plans of assistance, and the denial of recall rights for employees who are on plans of assistance.

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

Recommendation:

The superintendent recommends that the school board approve School Board Policy 5-18: Reduction in Force.

PERSONNEL

Reduction in Force P 5-18

A. Generally

A decrease in pupil enrollment, inadequate allocation of financial resources, expiration of special grants and/or other unforeseen conditions may require a modification of the curriculum or instructional program which results in a reduction of staff. In such event the school board, upon recommendation of the superintendent, shall determine the program adjustments to be made and the reduction in force required. The application of the Reduction in Force policy shall be for the division as a whole rather than by individual facilities.

B. Definition of Terms

1. Classification of Personnel

a. Licensed Personnel:

Licensed personnel shall include those employees of the board who, by reason of their position, must have teaching or other licensure from the State Board of Education. Such employees are assigned to the teacher personnel salary scale.

b. Classified Personnel:

Classified personnel shall include those persons who have been assigned to the classified salary scale which has been designed and approved by the board.

c. Administrative Personnel:

Administrative personnel shall be those persons who have been assigned to the administrative salary schedule which has been approved by the board.

2. Seniority

Seniority shall be that period of time commencing with the most recent term of continuous service with the Lynchburg City Schools including authorized leave(s), but excluding employment under temporary or interim contract. **Seniority for part-time service shall be determined by adding percentages of contract per year until a full year can be credited; the total of these percentages will reflect length of Lynchburg City Schools employment.** Should a tie exist within the same classification of personnel, the tie shall be broken in the sequential order as follows:

- a. Official beginning date of the most recent term of continuous employment as shown on the employee's contract

PERSONNEL

Reduction in Force (continued)

- b. Total time of service with Lynchburg City Schools in the event of a break in service
- c. Date the employee was appointed by the Lynchburg City School Board, if applicable,
- d. Date of completion of assignment sheet by a personnel official
- e. Time of signature on original contract at start of most recent term of continuous employment.

For employees who entered employment with Lynchburg City Schools as a direct result of the 1976 annexation (serving at or assigned to Brookville and Mountain View Elementary Schools only at the conclusion of the 1975-76 school year), length of service will include the period of continuous service in the county concerned immediately preceding transfer to this division.

3. Endorsement Area

The teaching endorsement shown on the current teaching license as issued by the State Department of Education.

4. Seniority Lists

- a. The seniority lists for licensed employees will be shown in ascending order of seniority and shall be comprised of five categories of lists based on endorsement areas as follows:
 - 1) Subject Areas--English, Mathematics, History/Social Studies, etc.
 - 2) Early/Primary Education Pre K-3
 - 3) Elementary Education Pre K-6
 - 4) Middle Education 6-8
 - 5) Special Areas--special education, reading, federal and specially funded programs, adult education, gifted or other special areas.
- b. The seniority lists for classified employees will be shown in ascending order of seniority by designated area of assignment such as nurse, secretary, teacher ~~aid~~ **assistant classification** custodian, etc.

PERSONNEL

Reduction in Force (continued)

c. Experience Credit

- 1) When more than one endorsement is shown on the Virginia Teacher's License, or if the teacher is in an assignment for which a license is not required, i.e., ROTC, the licensed employee shall be entered on all seniority lists in areas for which he/she is endorsed.
- 2) A licensed employee holding the comprehensive elementary endorsement of grades K-8 or grades 1-8 will be listed first in the category that is appropriate to the active assignment of the employee, Pre K-3, Pre K-6, or middle education (6-8). Placement on other lists will occur according to provisions found in (B.) (4.) (c.) (1) above.

5. Active Assignment

a. Licensed Employees:

The endorsement area in which the individual is actively employed at such time as it may become necessary to implement reduction in force procedures.

b. Administrative and Classified Employees:

The designated area of assignment of the employee at such time as it may become necessary to implement reduction in force procedures.

C. Destaffing Procedures

1. Licensed Personnel (See Code of Virginia § 22.1-303.)

Destaffing of licensed personnel will be based on seniority as defined in Section B of this policy except as noted in Section C. 5 of this policy. **The employee(s) with the least seniority will not be destaffed if another employee with more seniority in the same area of assignment is on a plan of assistance. An employee who has licensure deficiencies, or does not possess the endorsement in the area of his or her active assignment, may be destaffed. Employee(s) on a plan of assistance will be placed on the reduction in force list.**

PERSONNEL

Reduction in Force (continued)2. Administrative and Supervisory Personnel:

Should administrative or supervisory positions be eliminated as a part of reduction in force, an administrator or supervisor may be reassigned to a teaching position in accordance with the provisions set forth in the Code of Virginia, Section 22.1-294. All administrators and supervisors in the Lynchburg City Schools, except the superintendent, are defined in Section B.1.c. of this policy. **The employee(s) with the least seniority will not be destaffed if another employee with more seniority in the same area of assignment is on a plan of assistance. Employee(s) on a plan of assistance will be placed on the reduction in force list.** If reassignment to a teaching position is recommended by the superintendent and approved by the school board, the person(s) to be reassigned will be placed on the seniority list for licensed employees that is appropriate to his/her last active teaching assignment, and may be placed on additional lists per B 4.c.(1) of this policy. If reassignment is not possible, the board reserves the right to terminate the employee in accordance with the Code of Virginia and the policies and regulations of the board.

3. Classified Personnel:

The destaffing of classified personnel will be on the basis of seniority in the general area of contracted assignment and the need to maintain specific services within the school division. **The employee(s) with the least seniority will not be destaffed if another employee with more seniority in the same area of assignment is on a plan of assistance. Employee(s) on a plan of assistance will be placed on the reduction in force list.**

4. Transfers:

Transfers will be made within the division insofar as possible to accommodate the retention of employees having seniority in areas affected by the reduction in force. The selection of personnel to be transferred from one school or facility to another will be governed by the need to maintain the maximum effectiveness of the facilities involved as determined by the superintendent. Should a person refuse an assignment by transfer, he/she may be terminated and will not be listed for recall.

5. Exceptions:

The provisions of Section C of this policy, 5-18, shall not apply in those cases where the employment of licensed personnel whose special skills or active assignment is essential to the effective operation of the school program. The determination of essential personnel shall be solely at the discretion of the board upon

PERSONNEL

Reduction in Force (continued)

recommendation of the superintendent.

7. **Notification:**

All employees scheduled for destaffing under this policy shall be notified in writing at the earliest possible date but in no case later than April 15 unless inadequate funding or decrease in enrollment after that date requires further adjustments (provisions for this circumstance are set forth in the Code of Virginia, Section 22.1-304.)

D. **Recall Procedures**

1. The provisions for recall shall apply to all personnel except licensed employees under probationary contract **and those who are on a Plan of Assistance. Employees will remain on the recall list for twelve (12) months. At the conclusion of this time, individuals who have not been recalled must participate in the recruitment process to be considered for employment.**
2. Licensed employees under probationary contract shall have no recall rights but will be given consideration for reemployment at the discretion of the school board upon recommendation of the superintendent. The performance of the individual and length of service shall be among the factors considered in making this recommendation.
3. Licensed employees under continuing contracts destaffed pursuant to this policy shall be ranked in order of length of service and by endorsement area. When openings occur, the eligible person with the greatest seniority will be offered the position. If the opening is in a teacher's active assignment, he/she must accept the assignment or lose all recall rights. If the opening is in a teacher's endorsement area, but not in his/her active assignment, he/she has the option of not accepting the assignment. If the offer is not accepted, the teacher's name will be struck from the recall list in that endorsement area.
4. When an eligible licensed employee is to be recalled, he/she will be notified by certified mail at his/her last known address. If the offer of reemployment is not accepted in writing within ten (10) workdays of receipt of notice, rights of recall will be forfeited. If notice of recall is undeliverable, rights of recall will be forfeited. It shall be the responsibility of the employee to maintain an accurate address with the Department for Personnel.
5. The licensed employee will not be eligible for recall if:
 - a. The employee, subsequent to destaffing, makes contractual commitments with another school or school division from which release cannot be obtained within 10 days of recall offer.
 - b. The licensed employee fails to maintain a valid teacher's license.
 - c. The licensed employee, subsequent to destaffing, becomes unable to qualify for a position either in his/her area of endorsement or area of assignment.

PERSONNEL

Reduction in Force (continued)

6. Seniority lists of all employees destaffed under this policy shall be prepared by endorsement and classification area and maintained in the Department for Personnel. Seniority lists will be confidential in nature. It will not be necessary for personnel to establish their place on the seniority lists until such time as notified by the Department for Personnel.

Such notification shall have taken place prior to an employee receiving a letter of reduction in force. Affected personnel desiring to know their rank position on the lists may contact the director for personnel. Endorsements obtained subsequent to the preparation of seniority lists will not be recognized until all eligible licensed employees on said lists are recalled or forfeit the right of recall.

E. Board Minutes

To avoid negative implications with regard to the professional record of an employee destaffed under this policy, the minutes of the board will clearly show that such termination of employment was due to a reduction in force.

Legal Reference:

Code of Va. § 22.1-294. Probationary terms of service for principals, assistant principals and supervisors; evaluation; reassigning principal, assistant principal or supervisor to teaching position. "A. A person employed as a principal, assistant principal or supervisor, including a person who has previously achieved continuing contract status as a teacher, shall serve three years in such position in the same school division before acquiring continuing contract status as principal, assistant principal or supervisor.

B. Each local school board shall adopt for use by the division superintendent clearly defined criteria for a performance evaluation process for principals, assistant principals, and supervisors that includes, among other things, an assessment of such administrators' skills and knowledge; student academic progress and school gains in student learning; and effectiveness in addressing school safety and enforcing student discipline. The division superintendent shall implement such performance evaluation process in making employment recommendations to the school board pursuant to § 22.1-293.

C. Continuing contract status acquired by a principal, assistant principal or supervisor shall not be construed (i) as prohibiting a school board from reassigning such principal, assistant principal or supervisor to a teaching position if notice of reassignment is given by the school board by April 15 of any year or (ii) as entitling any such principal, assistant principal or supervisor to the salary paid him as principal, assistant principal or supervisor in the case of any such reassignment to a teaching position.

D. No such salary reduction and reassignment, however, shall be made without first providing such principal, assistant principal or supervisor with written notice of the reason for such reduction and reassignment and an opportunity to present his or her position at an informal meeting with the division superintendent, the division superintendent's designee or

PERSONNEL

Reduction in Force (continued)

the school board. The principal, assistant principal or supervisor shall elect whether such meeting shall be with the division superintendent, the division superintendent's designee or the school board. The school board, division superintendent or the division superintendent's designee shall determine what processes are to be followed at the meeting. The decision to reassign and reduce salary shall be at the sole discretion of the school board.

The intent of this section is to provide an opportunity for a principal, assistant principal or supervisor to discuss the reasons for such salary reduction and reassignment with the division superintendent, his designee or the school board, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause, as defined in § 22.1-307, for the salary reduction and reassignment of a principal, assistant principal or supervisor.

E. As used in this section, "supervisor" means a person who holds a supervisory position as specified in the regulations of the Board of Education and who is required to hold a license as prescribed by the Board of Education."

Code of Va. § 22.1-303. Probationary terms of service for teachers. "A. A probationary term of service for three years in the same school division shall be required before a teacher is issued a continuing contract. School boards shall provide each probationary teacher except probationary teachers who have prior successful teaching experience, as determined by the local school board in a school division, a mentor teacher, as described by Board guidelines developed pursuant to § 22.1-305.1, during the first year of the probationary period, to assist such probationary teacher in achieving excellence in instruction. During the probationary period, such probationary teacher shall be evaluated annually based upon the evaluation procedures developed by the employing school board for use by the division superintendent and principals in evaluating instructional personnel as required by § 22.1-295 B. The division superintendent shall consider such evaluations, among other things, in making any recommendations to the school board regarding the nonrenewal of such probationary teacher's contract as provided in § 22.1-305.

If the teacher's performance evaluation during the probationary period is not satisfactory, the school board shall not reemploy the teacher; however, nothing contained in this subsection shall be construed to require cause, as defined in § 22.1-307, for the nonrenewal of the contract of a teacher who has not achieved continuing contract status.

B. Once a continuing contract status has been attained in a school division in the Commonwealth, another probationary period need not be served in any other school division unless such probationary period, not to exceed one year, is made a part of the contract of employment. Further, when a teacher has attained continuing contract status in a school division in the Commonwealth, and separates from and returns to teaching service in a school division in Virginia by the beginning of the third year, such teacher shall be required to serve a probationary period not to exceed one year, if made a part of the contract for employment.

PERSONNEL

Reduction in Force (continued)

C. For the purpose of calculating the three years of service required to attain continuing contract status, at least 160 contractual teaching days during the school year shall be deemed the equivalent of one year in the first year of service by a teacher.

D. Teachers holding three-year local eligibility licenses pursuant to § 22.1-299.3 shall not be eligible for continuing contract status while teaching under the authority of such license. Upon attainment of a collegiate professional or postgraduate professional license issued by the Department of Education, such teachers shall serve the three-year probationary period prior to being eligible for continuing contract status pursuant to this section. "

Code of Va., § 22.1-304. Reemployment of teacher who has not achieved continuing contract status; effect of continuing contract; resignation of teacher; reduction in number of teachers. "A. If a teacher who has not achieved continuing contract status receives notice of reemployment, he must accept or reject in writing within fifteen days of receipt of such notice. Except as provided in § 22.1-305 and except in the case of a reduction in force as provided in subsection F, written notice of nonrenewal of the contract must be given by the school board on or before April 15 of each year. If no such notice is given a teacher by April 15, the teacher shall be entitled to a contract for the ensuing year in accordance with local salary stipulations including increments.

B. Teachers employed after completing the probationary period shall be entitled to continuing contracts during good behavior and competent service and prior to the age at which they are eligible or required to retire except as hereinafter provided. Written notice of noncontinuation of the contract by either party must be given by April 15 of each year; otherwise the contract continues in effect for the ensuing year in conformity with local salary stipulations including increments.

C. A teacher may resign after April 15 of any school year with the approval of the local school board or, upon authorization by the school board, with the approval of the division superintendent. The teacher shall request release from contract at least two weeks in advance of intended date of resignation. Such request shall be in writing and shall set forth the cause of resignation.

If the division superintendent has been authorized to approve resignations, a teacher may, within one week, withdraw a request to resign. Upon the expiration of the one-week period, the division superintendent shall notify the school board of his decision to accept or reject the resignation. The school board, within two weeks, may reverse the decision of the division superintendent.

In the event that the board or the division superintendent declines to grant the request for release on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action, which may include revocation of the teacher's license, may be taken pursuant to regulations prescribed by the Board of Education.

D. As soon after April 15 as the school budget shall have been approved by the appropriating body, the school board shall furnish each teacher a statement confirming continuation of employment, setting forth assignment and salary.

Nothing in the continuing contract shall be construed to authorize the school board to contract for any financial obligation beyond the period for which funds have been made available with which to meet such obligation.

E. A school board may reduce the number of teachers, whether or not such teachers have reached continuing contract status, because of decrease in enrollment or abolition of particular subjects.

F. By May 15 of each year, the school board of a county having the county executive form of government that is adjacent to a county having the urban county executive form of government shall notify all teachers who may be subject to a reduction in force due to a decrease in the school board's budget as approved by the appropriating body.

Code of Va., § 22.1-305{ XE "zz:Code of Va 22.1-305" }. Nonrenewal of contract of probationary teacher "A. Before a division superintendent recommends to the school board nonrenewal of the contract of a teacher who has not achieved continuing contract status, the division superintendent shall consider, among other things, the performance evaluations for such teacher required by § 22.1-303 and shall notify the teacher of the proposed recommendation. Upon written request of the teacher within five working days after receipt of such notice, the division superintendent or his designee shall orally provide the specific reasons, if any, for such recommendation, along with supporting documentation, including such performance evaluations, to the teacher and, if requested by the teacher, to his or her representative. Within ten days after receiving such reasons, the teacher may request, by notification in writing to the division superintendent, a conference before the division superintendent. Upon such request, the division superintendent shall set a date for the conference, which shall be within thirty days of the request, and shall give the teacher at least fifteen days' notice of the time and place of the conference.

B. The conference shall be before the division superintendent or his designee. No such designee shall have recommended to the division superintendent the nonrenewal of the teacher's contract. The teacher and the person or persons who recommended the nonrenewal of the teacher's contract to the division superintendent, or a representative of either or both, shall be allowed to participate in the conference, but no such representative shall be an attorney.

C. If the conference is before a designee of the division superintendent, the designee shall communicate his recommendations to the division superintendent and to the teacher.

D. The division superintendent shall notify the teacher, in writing, of his intention with respect to the recommendation within ten days after the conference.

E. In any case in which a teacher requests a conference as provided in this section, written notice of nonrenewal of the contract by the school board must be given within thirty days after the division superintendent notifies the teacher of his intention with respect to the recommendation and the provisions of § 22.1-304 requiring such notice on or before April 15 shall not be applicable.

F. The conference shall be confidential and no written or oral communication of such conference shall be made to anyone other than the school board, in executive session, and employees of the school division having an interest therein; however, both the teacher and the division superintendent, upon request, may provide the reasons for the nonrenewal to a potential employer of the teacher.

G. The provisions of this section shall be inapplicable when a decrease in enrollment or the abolition of a particular subject or reduction in the number of classes offered in a particular subject causes a reduction in the number of teachers; however, a statement

PERSONNEL

Reduction in Force (continued)

to that effect shall be placed in the personnel file of each teacher whose contract is nonrenewed for any such reason.

H. The intent of this section is to provide an opportunity for a probationary teacher to discuss the reasons for nonrenewal with the division superintendent or his designee, and the provisions of this section are meant to be procedural only. Nothing contained herein shall be taken to require cause, as defined in § 22.1-307, for the nonrenewal of the contract of a teacher who has not achieved continuing contract status nor shall the failure of the school board or the division superintendent to comply with any time requirement herein constitute a basis for continued employment of the teacher."

Code of Va., § 22.1-306. Definitions. As used in this article: "Grievance" means a complaint or dispute by a teacher relating to his or her employment including, but not necessarily limited to: (i) disciplinary action including dismissal or placing on probation; (ii) the application or interpretation of: (a) personnel policies, (b) procedures, (c) rules and regulations, (d) ordinances and (e) statutes; (iii) acts of reprisal against a teacher for filing or processing a grievance, participating as a witness in any step, meeting or hearing relating to a grievance, or serving as a member of a fact-finding panel; and (iv) complaints of discrimination on the basis of race, color, creed, political affiliation, handicap, age, national origin or sex. Each school board shall have the exclusive right to manage the affairs and operations of the school division. Accordingly, the term "grievance" shall not include a complaint or dispute by a teacher relating to (i) establishment and revision of wages or salaries, position classifications or general benefits, (ii) suspension of a teacher or nonrenewal of the contract of a teacher who has not achieved continuing contract status, (iii) the establishment or contents of ordinances, statutes or personnel policies, procedures, rules and regulations, (iv) failure to promote, (v) discharge, layoff or suspension from duties because of decrease in enrollment, decrease in enrollment or abolition of a particular subject or insufficient funding, (vi) hiring, transfer, assignment and retention of teachers within the school division, (vii) suspension from duties in emergencies, or (viii) the methods, means and personnel by which the school division's operations are to be carried on.

While these management rights are reserved to the school board, failure to apply, where applicable, the rules, regulations, policies, or procedures as written or established by the school board is grievable.

"Dismissal" means the dismissal of any teacher during the term of such teacher's contract and the nonrenewal of the contract of a teacher on continuing contract."

Adopted by School Board: January 16, 1979

Revised by School Board: January 6, 1981

Revised by School Board: March 20, 2001

Revised by School Board: March 23, 2010

Agenda Report

Date: 03/23/10

Agenda Number: C-5

Attachments: No

From: Paul McKendrick, Superintendent

Subject: School Calendar: 2009-10

Summary/Description:

On March 2, 2010, the school administration received a letter from the Lynchburg Electoral Board requesting that the Lynchburg City School Board modify the current school calendar for 2009-10, by using May 4, 2010, at a teacher workday rather than April 30, 2010. The reason for this request is because the Lynchburg City Council election is scheduled for May 4, 2010, and several schools are used as polling places during elections.

During its meeting on March 16, 2010, the school approved closing elementary and middle schools on May 4, 2010, and keeping April 30, 2010, as a teacher workday. However, high schools were not closed on May 4, 2010, due to the Advanced Placement (AP) exam schedule for students.

The school administration has since learned that the College Board's policies allow for the administering of alternate forms of (AP) tests on alternate dates with no additional cost to the school division for certain specified reasons. One of those reasons is in the case of a school closing due to an election.

Therefore, the school administration recommends that the school board consider closing high schools on May 4, 2010.

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

Recommendation:

The superintendent recommends that the school board close high schools May 4, 2010, due to the Lynchburg City Council election.