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SECTION K: School-Community Relations

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GOALS FOR SCHOOL-COMMUNITY RELATIONS

The school board recognizes that good school-community relations are essential to securing public input and public support for educational programs. The school board sets goals and standards for school-community relations and regularly evaluates its relationship with the public. The school board also regularly evaluates its programs for maintaining open channels of communication and good relations with parents, community organizations, other governmental organizations, non-profit organizations, businesses and industries, and the community at large.

Through its school-community relations program, the board encourages the community to

- take an active interest in the schools and participate in school activities,
- place a high priority on education and make funds available for an educational system that supports learning for all children, and
- establish partnerships with the schools to enhance learning opportunities.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: June 2, 2003
Revised: August 2, 2004
Revised: November 3, 2008
Revised: April 2, 2012
Revised: May 19, 2014

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-253.13:7.C.4.

Cross Refs : AF Comprehensive Plan
KBC Media Relations
KB Public Information Program
KF Distribution of Information/Materials
KG Community Use of School Facilities
KMA Relations with Parent Organizations
KNAJ Relations with Law Enforcement Authorities
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships
IGBC Parental Involvement

PUBLIC INFORMATION PROGRAM

The New Kent County School Board recognizes the importance of providing information regarding the school division to the community. The board will utilize all appropriate means and media in order to

- explain the programs, achievements, and needs of the school division;
- keep students, parents/guardians, and staff members fully informed about board policies and procedures as well as their own rights and responsibilities;
- communicate factual information regarding the school division: and
- involve students, parents/guardians, and the community in discussions regarding education programs, student activities, and board policy.

Adopted: July 1, 1998
Revised: June 3, 2002
Revised: April 2, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78.

Cross Refs.: KA Goals for School Community Relations
KBA Requests for Information
KBC Media Relations

REQUESTS FOR PUBLIC RECORDS

New Kent County School Board complies with the Virginia Freedom of Information Act (FOIA). Except as otherwise specifically provided by law, all public records are open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. All requests for information are processed in accordance with KBA-R Requests for Public Records.

The name(s) and contact information for the person(s) New Kent County School Board has designated as its Freedom of Information Act (FOIA) Officer(s) is listed in regulation KBA-R Requests for Public Records and posted at the school board office and on the division's website. The FOIA Officer(s) serves as a point of contact for members of the public in requesting public records and coordinates the school board's compliance with FOIA. The FOIA officer(s) receives training at least annually from the school board's legal counsel or the Virginia Freedom of Information Advisory Council.

Adopted: May 1999
Revised: June 3, 2002
Reviewed: April 22, 2013 – no changes
Revised: July 18, 2016
Revised: August 7, 2017
Revised: April 15, 2019

Legal Ref.: Code of Virginia 1950, as amended, sections §§ 2.2-3704, 2.2-3704.2.

Cross Ref.: KBA-R Requests for Public Record

RIGHTS AND RESPONSIBILITIES

The Rights of Requestors and the Responsibilities of New Kent County Public Schools under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials and public employees.

A public record is any writing or recording – regardless of whether it is a paper record, an electronic file, an audio or video recording or record in any other format – that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open to the public and may only be withheld if a specific statutory exemption applies.

The policy of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

FOIA Rights

- A citizen of the Commonwealth has the right to request to inspect or receive copies of public records, or both.
- A citizen of the Commonwealth has the right to request that any charges for the requested records be estimated in advance.
- If a citizen of the Commonwealth believes that their FOIA rights have been violated, the citizen may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, they may contact the FOIA Council for a nonbinding advisory opinion.

Making a Request for Records from New Kent County Public Schools

- A citizen of the Commonwealth may request records by U.S. Mail, fax, e-mail, in person or over the phone. FOIA does not require that a request be in writing, nor that it specifically state that records are being requested under FOIA.
- As a practical matter, it may be helpful to both the requestor and the person receiving the request to put the request in writing. This creates a record of the request. It also gives us a clear statement of what records are requested, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to a FOIA request if it is not put in writing.
- A request must identify the records sought with “reasonable specificity.” This is a common-sense standard. It does not refer to or limit the volume or number of records requested; instead, it requires the requestor to be specific enough so that we can identify and locate the records that are requested.
- A request must ask for existing records or documents. FOIA creates a right to inspect or copy records; it does not apply to general questions about the work of New Kent County Public Schools, nor does it require New Kent County Public Schools to create a record that does not exist.

- A requestor may choose to receive electronic records in any format used by New Kent County Public Schools in the regular course of business. For example, if requested records are maintained in an Excel file, the requestor you may elect to receive those records electronically, via e-mail or on a computer disk or to receive a printed copy of those records.
- If we have questions about a request, please cooperate with staff's efforts to clarify the type of records sought, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss a request to ensure that we understand what records are being sought.

To request records from New Kent County Public Schools, direct your request to New Kent County Public Schools' designated Freedom of Information Act Officer (FOIA Officer) who is responsible for serving as a point of contact for members of the public who wish to request public records. The New Kent County Public Schools FOIA Officer is:

Mila Hall
(804) 966-9649 or nkcpinfo@nkcps.k12.va.us

In addition, the FOIA Advisory Council is available to answer questions about FOIA. The Council may be contacted by e-mail at foiacouncil@dls.virginia.gov or by phone at (804) 225-3056 or 1-866-448-4100.

New Kent County Public Schools' Responsibilities in Responding to Your Request

New Kent County Public Schools must respond to a request within five working days of receiving it. "Day One" is considered the day after the request is received. The 5-day period does not include weekends or holidays.

The reason behind a request for public records from New Kent County Public Schools is irrelevant and a requestor does not have to state why they want the records before we respond to the request. FOIA does, however, allow New Kent County Public Schools to require a requestor to provide their name and legal address.

FOIA requires that New Kent County Public Schools make one of the following responses to a request within the 5-day time period:

1. We provide the records requested in their entirety.
2. We withhold all of the records requested, because all of the records are subject to a specific statutory exemption or exemptions. If all of the records are being withheld, we must send a response in writing. That writing must identify the volume and subject matter of the records withheld and state the specific section(s) of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide the remainder of the record.

We must provide the requestor a written response stating the specific section(s) of the Code of Virginia that allows portions of the requested records to be withheld.

4. We inform the requestor in writing that the requested records cannot be found or do not exist (we do not have the records requested). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response.
5. If it is practically impossible for New Kent County Public Schools to respond to the request within the 5-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us 7 additional working days to respond to the request, giving us a total of 12 working days to respond to the request.

If a request is made for a very large number of records and we feel that we cannot provide the records within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to the request. However, FOIA requires that we make a reasonable effort to reach an agreement with the requestor concerning the production of the records before we go to court to ask for more time.

Costs

New Kent County Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records. New Kent County Public Schools will not impose any extraneous, intermediary or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the schools. Any duplicating fee charged by New Kent County Public Schools will not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the requestor as set forth in subsection Va. Code § 2.2-3704.F.

The requestor may have to pay for the records requested from the New Kent County Public Schools. FOIA allows us to charge for the actual costs of responding to FOIA requests. This includes items like staff time spent searching for the requested records, copying costs or any other costs directly related to supplying the requested records. It does not include general overhead costs.

If we estimate that it will cost more than \$200 to respond to a request, we may require the requestor to pay a deposit, not to exceed the amount of the estimate, before proceeding with the request. The five days that we have to respond to the request does not include the time between when we ask for a deposit and when the requestor responds.

A requestor may request that we estimate in advance the charges for supplying the records requested. This will allow the requestor to know about any costs upfront, or give the requestor the opportunity to modify the request in an attempt to lower the estimated costs.

If a requestor owes us money from a previous FOIA request that has remained unpaid for more than 30 days, New Kent County Public Schools may require payment of the past-due bill before it will respond to a new FOIA request.

Types of Records

The following is a general description of the types of records held by New Kent County Public Schools:

- Personnel records concerning employees and officials of New Kent County Public Schools
- Scholastic records
- Business and finance records
- Operational records involving support departments such as Technology, Transportation, Facilities, Food Services, etc.
- Agendas, minutes and other records of the meetings of the School Board and committees appointed by the School Board (which are also available on the New Kent County Public Schools website at newkentschools.org)
- Records of contracts to which New Kent County Public Schools is a party

Commonly Used Exemptions

The Code of Virginia allows any public body to withhold certain records from public disclosure. New Kent County Public Schools commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))
- Records related to critical incident response (§ 2.2-3705.2 (14))
- Scholastic records (§ 2.2-3705.4(1) and 20 U.S.C. § 1232g)

Policy Regarding the Use of Exemptions

The general policy of New Kent County Public Schools is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of New Kent County Public Schools.

The general policy of New Kent County Public Schools is to invoke the contract negotiations exemption whenever it applies in order to protect New Kent County Public Schools bargaining position and negotiating strategy.

The general policy of New Kent County Public Schools is to invoke the scholastic records exemption in those instances where it applies in order to protect the privacy of students and comply with other state and federal laws governing the privacy of student records.

REQUESTS FOR PUBLIC RECORDS

New Kent County School Board is committed to full compliance with the Virginia Freedom of Information Act (FOIA) and processes all requests for public records in accordance with the following procedures.

Mila Hall is New Kent County School Board's FOIA Officer. The FOIA Officer serves as a point of contact for members of the public in requesting public records and coordinates the school board's compliance with FOIA. The FOIA Officer may be reached at (804) 966-9649 or nkcpinfo@nkcp.k12.va.us.

Access to Records

1. When practicable, the following records are available on request at the central office: *School Board Minutes*
2. Unless otherwise specified by the FOIA Officer, inspection of records takes place at the central office of New Kent School Board during its regular office hours and records are not removed from that site. Copies requested in lieu of or at the time of inspection, subject to the charges listed below. Nonexempt records maintained in an electronic database are produced in any tangible medium or format identified by the requester that is regularly used in the ordinary course of business by New Kent School Board, including posting the records on a website or delivering the records through an electronic mail address provided by the requester.
3. Requesters must provide their legal name and address and verification that the requester is a citizen of the Commonwealth, a representative of a newspaper or magazine with circulation in the Commonwealth, or a representative of a radio or television station broadcasting in or into the Commonwealth.
4. The FOIA Officer or designee is present during inspection or copying of records. A record of each inspection is made, using form KBA-F2 Records of Inspection and/or Delivery of Copies.

Request Procedures

1. Requests for access to records shall be made with reasonable specificity.
2. Requests shall be directed to the New Kent Public Schools FOIA Officer at:
New Kent County Public Schools
P.O. Box 110
New Kent, VA 23124
Phone: 966-9649 Fax: 966-8556
3. Requesters should make their requests using Form KBA-F1 Request for Public Records. Requests received via telephone are transcribed onto Form KBA-F1 Request for Public Records by School Board staff. Written requests other than on Form KBA-F1 Request for Public Records are appended to a copy of the form by staff, who fill out as much of the form as possible.
4. School board staff provides Form KBA-F1 Request for Public Records and a copy of this regulation upon request to any person interested in obtaining access to records, and instruct the requester to direct the request to the FOIA Officer. Telephone inquiries are redirected to the FOIA Officer. Any written requests received by building personnel are immediately forwarded to the FOIA Officer with a notation indicating the date and time the request was received.

Responding to Requests

1. Promptly, but in all cases within five working days of receiving the request, the school division provides the requested records to the requester, or makes one of the following responses in writing:
 - (a) The requested records are being entirely withheld. The response will identify with reasonable particularity the volume and subject matter of the withheld records, and, with respect to each category of withheld records, cite the specific Virginia Code(s) or other law section that authorizes the withholding of the records.
 - (b) The requested records are being provided in part and are being withheld in part. The response will identify with reasonable particularity the subject matter of the withheld portions and cite, with respect to each category of withheld records, the specific Virginia Code section(s) or other law which authorizes the withholding of the records.
 - (c) The requested records could not be found or do not exist. If the school division knows that another public body has the requested records, the response includes contact information for the other public body.
 - (d) It is not practically possible to provide the records or to determine whether they are available within the five-day period. Such response specifies the conditions which make a response impossible. If the response is made within five working days, one of the preceding responses is provided within an additional seven-day period.

No public record is withheld in its entirety on the grounds that some portion of the public record is excluded from disclosure by law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion may be withheld, and all portions of the public record that are not so excluded are disclosed.

The school division may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response within the time outlined above will prevent the school division from meeting its operational responsibilities. Before proceeding with the petition, the school division will make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

2. The five-day period begins on the first working day following the day the request is received by the school division. Any time that elapses between the time the requester is notified of an advance cost determination pursuant to the procedures detailed below and the time that the requester responds to that notice is not counted in calculating the five working days.

Processing of Requests

1. The FOIA Officer, after receiving a request, promptly makes an initial determination as to whether the requested records will be provided to the requester, will be withheld, either completely or in part, or if it is practically impossible to provide the requested records or to determine whether they are available within five days.

2. If the FOIA Officer is unsure whether the requested documents should be provided to the requester, legal advice is promptly sought.
3. If the FOIA Officer is uncertain whether the requested records exist or where they may be located, efforts are promptly initiated to locate the records or determine whether they exist.
4. If the requested records will be made available either in whole or in part, the FOIA Officer promptly consults with school board staff to determine the cost involved to assemble the records for inspection and copying. Where portions of individual records must be redacted prior to inspection and copying, the cost of doing this is taken into account. The following costs are charged at the rates indicated, not to exceed actual cost:
 - Staff member search time, charged by the quarter hour. Depending on the staff member(s) involved in the search, rates of \$2.75 to \$6.00 per quarter hour may apply.
 - Computer search time, charged at the rate of \$2.75 to \$6.00 per quarter hour.
 - Computer printouts, charged at the rate of \$.25 cents per page.
 - Photocopies (including those necessary to perform redactions), charged at the rate of \$.25 cents per page.
 - Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges).
5. If the requester has asked for an advance determination of the cost, or if the cost is expected to exceed \$200, the requester shall be notified in advance of the cost associated with the request. If the cost of the request is determined to exceed \$200, the School Board may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. No further action shall be taken until the requester responds, and the requester must agree to pay the estimated amount before any further processing of the request is performed.
6. Before processing a request for records, the FOIA Officer may require the requester to pay any amounts owed to the school board for previous requests for records that remain unpaid 30 days or more after billing.
7. If school division records have been transferred to any entity, including any other public body, for storage, maintenance, or archiving, the school division remains the custodian of the records for purposes of responding to requests and is responsible for retrieving and supplying the records to the requester.
8. Any records to be disclosed are assembled for inspection and copying by school board staff, under the direction and supervision of the FOIA Officer.
9. School board staff are responsible for recording the date the request was received, verifying identification and recording and assembling additional information about the request as indicated on Form KBA-F1 Request for Public Records.

Adopted: May 1999
Revised: June 3, 2002
Revised: June 2, 2003
Revised: September 3, 2003
Revised: August 6, 2007
Revised: July 12, 2010
Revised: April 22, 2013
Revised: May 8, 2015
Revised: July 18, 2016
Revised: August 7, 2018
Revised: April 15, 2019

Legal Ref.: Code of Virginia, 1950, as amended, sections 2.2-3704, 2.2-3704.01, 2.2-3704.2.

Cross Ref.: KBA Requests for Public Records

REQUEST FOR PUBLIC RECORDS

Name _____

Address _____

E-mail address _____

Phone _____

I am a (check one):

- Citizen of the Commonwealth of Virginia
- Member of the Press referenced in Va. Code §2.2-3704
News Organization _____

Requesters may be asked to provide verification that they are citizens of the Commonwealth or a member of the press referenced in Va. Code §2.2-3704.

STAFF USE ONLY
Date Request Received: _____
Request was made (check one)
<input type="checkbox"/> by requester on this form
<input type="checkbox"/> by telephone
<input type="checkbox"/> in writing other than on form (attach original request)
Date Response Sent: _____ (attach copy)
<input type="checkbox"/> Identification Verified
Type: _____
Number: _____
<input type="checkbox"/> Itemized Cost Estimate Attached

I am requesting access to the following records (please be as specific as possible, and attach additional paper if necessary):

Reasonable costs may be assessed in connection with this request. A current schedule of costs appears in Regulation KBA-R Requests for Public Records. If the costs associated with this request are expected to exceed \$200, the requestor will be asked to pay the estimated costs before the request is processed.

In addition, the requestor may ask for an advance determination of the cost of the request. Please indicate here if you would like an advance determination of cost. Yes ___ No ___

If you are requesting copies, please specify the format in which you would like to receive them. New Kent County school division will provide the record(s) in the requested format if that medium is used by it in the regular course of its business.

Specify format desired (if available):

- Photocopies
- E-mail (give address): _____
- Website posting
- Other (please specify): _____

Signature

Date

RETURN COMPLETED FORM TO:
NEW KENT COUNTY PUBLIC SCHOOLS
P.O. BOX 110
NEW KENT, VA 23124

**RECORD OF INSPECTION and/or
DELIVERY OF COPIES**

Inspection of Public Records

Date _____ Time In _____ Time Out _____

Person Inspecting Records

Name Signature

Staff Person in Attendance

Name Signature

Records Reviewed (describe)

Copies of Public Records

<u>Record</u>	<u>No. Pages</u>	<u>Delivery Method</u> <u>(mail, e-mail,</u> <u>etc.)</u>	<u>Date of Delivery</u>	<u>Cost (if any)</u>	<u>Date and</u> <u>Method of</u> <u>Payment</u>
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Staff Person Providing Copies _____
Name Signature

MEDIA RELATIONS

Media releases by the schools are encouraged as a means of informing the public of programs, activities, and accomplishments. Staff members are encouraged to participate in activities that inform the public about school programs and activities.

News and information concerning personnel and students shall be released to the press only with the approval of the principal and in accordance with state and federal laws regarding confidentiality.

Adopted: July 1, 1998
Revised: August 2, 2004
Revised: August 6, 2007
Revised: November 3, 2008
Revised: April 2, 2012

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-287, 22.1-287.1.

Cross Refs.: JO Student Records
KB Public Information Program

INTERNET PRIVACY

The New Kent County School Board is committed to complying with the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act. The New Kent County School Board does not collect unnecessary personal information by means of its website, and collects only appropriate personal information to the extent necessary to serve its constituents and the community.

Personal information collected and retained by the school division's website is maintained in compliance with the Government Data Collection and Dissemination Practices Act. Any individual wishing to learn the purpose for which information has been recorded and the particulars of its use and dissemination may contact the superintendent or the superintendent's designee regarding this information. Any person wishing to correct, erase or amend inaccurate, obsolete or irrelevant information may do so by procedures by first contacting the Superintendent or the superintendent's designee.

The school board informs the public of any personal information collected through its website by posting the following privacy statement or a link to this privacy statement in a conspicuous fashion at the top of the website home page:

New Kent School Board
Internet Privacy Policy Statement
(Last updated on 5/19/14)

The following information explains the Internet Privacy Policy, which the New Kent School Board has adopted for its website. The following is intended to explain our current Internet privacy practices, but shall not be construed as a contractual promise. We reserve the right to amend our Internet Privacy Policy Statement at any time without notice.

Virginia Law

We protect our records in accordance with our obligations as defined by applicable Virginia statutes, including, but not limited to the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act, and by any applicable federal laws.

Links to Other Websites

Our website may contain links to other public or private entities' websites, whose privacy practices we do not control.

Information We Collect

When you access our website, the routing information, and the essential and nonessential technical information listed below, is automatically collected. No other information is collected through out website except when you deliberately decide to send it to us (for example, by clicking on a link to send us an e-mail). The information you might choose to send us is listed below as “optional information.”

Routing information: the Internet domain and Internet address of the computer you are using;

Essential technical information: identification of the page or service you are requesting, type of browser and operating system you are using, and the data and time of access;

Nonessential technical information: the Internet address of the website from which you linked directly to our website, and the “cookie information” described below;

Optional information: when you send us an e-mail, your name, e-mail address, and the content of your e-mail, and/or when you fill out online forms, all the data you choose to fill in or confirm

Cookies:

Our website does not place any “cookies” on your computer.

How the Collection Information is Used

Routing information is used to route the requested web page to your computer for viewing. We send the requested web page and the routing information to our internet Service Provider (ISP) or other entities involved in transmitting the requested page to you. We do not control the privacy practices of those entities. Essential and nonessential technical information helps us respond to your request in an appropriate format, or in a personalized manner, and helps us plan website improvement.

Optional information enables us to provide services or information tailored more specifically to your needs or to forward your message or inquiry to another entity that is better able to do so, and also allows us to plan website improvements.

We may keep your information indefinitely, but we ordinarily delete the routing information from our computer within 10 days after the web page is transmitted and do not try to obtain any information to link it to the individuals who browse our website. We use this routing information primarily in a statistical summary type format to assess site content and server performance. We may share this summary information with our business partners when needed.

However, on rare occasions when a “hacker” attempts to breach computer security, logs of routing information are retained to permit a security investigation and in such cases may be forwarded together with any other relevant information in our possession to the appropriate law enforcement agency.

Optional information is retained in accordance with the Records Retention Schedules promulgated by the Library of Virginia.

Under the Freedom of Information Act, any records in our possession at the time of a request for information, including the collection of logs and data of a website, may be subject to being inspected by or disclosed to members of the public for any purpose.

Choice to Provide Information

There is no legal requirement for you to provide any information at our website. However, our website will not work without routing information and the essential technical information. Failure of your browser to provide nonessential technical information will not prevent your use of our website, but may prevent certain features from working. Failure to provide optional information may mean that the particular feature or service associated with that part of the web page will not be available to you.

Comments or Review

If you have questions about this privacy statement or the practices of this website or if you choose to review or correct any information, please contact the Director of Technology at 966-9671.

Adopted: January 8, 2001
Revised: June 3, 2002
Revised: July 2, 2012
Revised: May 19, 2014

Legal Refs.: Code of Virginia, 1950, as amended, section 2.2-3803(B).

Internet Privacy Guidelines (Final Draft), Virginia Department of Technology Planning.

COMMUNITY INVOLVEMENT IN DECISION MAKING

The New Kent School Board will call meetings of the people of the school division for consultation in regard to school interests thereof when it deems such meetings to be necessary.

The board may appoint a committee of not less than three nor more than seven members for each public school in the school division. The committee's duty will be to advise the members of the school board with reference to matters pertaining to the school and to cooperate with the school board in the care of the school property and in the successful operation of the school. Such committees shall serve without compensation.

Adopted: July 1, 1998
Revised: May 21, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-86, 22.1-253.13:7.C.4.

Cross Ref.: AF Comprehensive Plan
BCF Advisory Committees to the School Board
BDDH/KD Public Participation at Board Meetings
CA Administration Goals

PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

Members of the community are invited and encouraged to attend meetings of the New Kent County School Board to observe its deliberations. Any member of the community may address the board on matters related to the New Kent County Public Schools at any regular meeting as provided in the accompanying regulation. Persons wishing to address the school board are requested to contact the superintendent, the school board chairman, or their designee for placement on the agenda.

The chairman is responsible for the orderly conduct of the meeting and shall rule on such matters as the appropriateness of the subject being presented and length of time for such presentation. Upon recognition by the chairman, the speaker shall address himself to the chairman and if, at the conclusion of his remarks, any member of the school board desires further information, the member will address the speaker only with the permission of the chairman. No one will be allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation.

A reasonable period of time, as determined by the school board, will be allocated at each regular meeting for community members to present matters of concern.

Adopted: July 1, 1998
Revised: August 2, 2004
Revised: November 3, 2008
Revised: July 2, 2012
Revised: May 19, 2014
Revised: July 18, 2016

Legal Refs.: Code of Virginia, 1950, as amended, §§22.1-78, 22.1-253.13:7.

Cross Ref.: BDDE Rules of Order

REGULATIONS FOR
PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS

The school board regular monthly meeting agenda provides a “Citizen Comment” period for individuals to address the school board. Those wishing to address the board should sign up on the list provided at the meeting and, when called to speak, limit their comments to three minutes. It is customary for the school board to not make comment during “Citizen Comment” periods. The superintendent will provide response to comments and questions during the next regular monthly meeting. Individual problems and concerns are best handled through administrative channels, with the board acting as the source of appeal beyond the level of the superintendent.

Reviewed by NKSB – May 19, 2014
Revised: May 9, 2016

DISTRIBUTION OF INFORMATION/MATERIALS

The New Kent County 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 New Kent County School Division.

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, electronic cigarettes or any illegal substance or action;
- endorse or encourage any violation of the standards of Student Conduct (see Policy JFC-R)/ 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 materials and the activity described herein, are not sponsored or endorsed by the New Kent County 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.

Adopted: March 5, 2007
Reviewed: April 22, 2013 – no changes
Revised: July 1, 2015

Legal Refs.: U.S. Constitution amend. I.

Child Evangelism Fellowship of Maryland, Inc.v.Montgomery County Public Schools, 457 F.3d376(4th Cir. 2006)

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79.3, 22.1-79.5, 22.1-131, 22.1-279.6 and 22.1-293(B-D).

Cross Refs.:

JFC-R	Standards of Student Conduct
KFB	Administration of Surveys and Questionnaires
KG	Community Use of School Facilities
KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

DISTRIBUTION OF INFORMATION/MATERIALS
GENERAL LITERATURE POSTING, DISTRIBUTION OR
AVAILABILITY TO STUDENTS

The school system permits the posting and/or distribution to students of approved information that will contribute significantly to the instructional program or promote educational or recreational activities for students. Only information sponsored by non-commercial and nonprofit groups and information about programs sponsored by New Kent Public Schools will be considered for approval. Organizations must be prepared to document their not-for-profit status and must notify the school should that status change. Approval will not be granted for literature that is sponsored by private interests, for-profit organizations, religious groups for the purpose of proselytizing, or commercial organizations; or that promotes or opposes political candidates, promotes gambling, or is obscene, libelous or prejudicial in nature. The fact that information may be approved for posting or distribution to students does not mean or imply sponsorship of, support of, or endorsement of the activity or organization by the school system.

Building principals shall have the authority to approve materials prepared by an individual school, a school official or the school division for distribution to students. Sponsorship must be clearly identified, and a telephone number or web address must be provided. All other materials shall be referred to the superintendent's office for approval and, once approved, may be posted and/or distributed.

I. General Literature

A. Only advertising and promotional materials that contribute to instruction or general community betterment may be posted, made available in the schools, or distributed to students.

B. Materials being considered for distribution may not:

1. make reference to alcohol, drugs, or weapons;
2. attack ethnic, religious or racial groups;
3. promote hostility, disorder, or violence;
4. proselytize (convert from one religion, belief, or party to another) a particular religious or political belief;
5. exclusively advertise a product or service for sale or rent (use of a logo is permissible);
6. be libelous, invade the rights of others, or inhibit the functioning of the school, or advocate interference with the rights of any individual or with the normal operation of the school;
7. favor or oppose any political candidate, any bond issue, or any other question to be decided at an election;
8. promote gambling; and
9. be obscene, vulgar or pornographic.

- C. Materials being considered for distribution should be received in the superintendent's office at least two weeks prior to the intended distribution date to schools.
- D. Materials being considered for distribution approval must include the following information:
 - 1. Complete name of organization or event
 - 2. Date, time, place of the event, and areas and schools involved
 - 3. Contact person, mailing address, and telephone number or website address
- E. Once the materials have been reviewed, the superintendent's office will notify the organization of the approval or denial.

II. Literature for Nonschool-Sponsored Contests and Competitions

- A. Contests and competitions must be directly related to curricula taught in the designated subject area according to the program of studies in order for materials to be distributed to students.
- B. Requests for distribution of literature sponsoring contests or competitions should be forwarded to the superintendent's office at least two weeks prior to the event.
- C. Any fliers related to contests or competitions must meet the guidelines as outlined in section I above.

III. Literature from Nonprofit Community Organizations

Nonprofit community organization materials being considered for distribution must clearly indicate their source and must include the following statement: "These materials, and the activity described herein, are not sponsored or endorsed by the New Kent County School Board."

Reviewed: November 19, 2012

ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

I. Instruction Materials and Surveys

A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material used as part of the educational curriculum for a student or used in connection with any survey, analysis, or evaluation as part of any federally funded program are available for inspection by the parents or guardians of the student in accordance with Policy KBA Requests for Information.

B. Participation in Surveys and Evaluations

No student is required, as part of any federally funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- (1) political affiliations or beliefs of the student or the student's parent,
- (2) mental or psychological problems of the student or the student's family,
- (3) sex behavior or attitudes,
- (4) illegal, anti-social, self-incriminating, or demeaning behavior,
- (5) critical appraisals of other individuals with whom respondents have close family relationships,
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
- (7) religious practices, affiliations, or beliefs of the student or student's parent, or
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

C. Surveys Requesting Sexual Information

In any case in which a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors pursuant to Va. Code § 32.1-73.8, other information on controlled substance use, or any other information that the school board deems to be sensitive in nature is to be administered, the school board shall notify the parent concerning the administration of such questionnaire or survey in writing at least 30 days prior to its administration. The notice will inform the parent of the nature and types of questions included in the questionnaire or survey, the purposes and age-appropriateness of the questionnaire or survey, how information collected by the questionnaire or survey will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. In any case in which a questionnaire or survey is required by state law or is requested by a state agency, the relevant state agency shall provide the school board with all information required to be included in the notice to parents.

The parent has the right to review the questionnaire or survey in a manner mutually agreed upon by the school and the parent and exempt the parent's child from participating in the questionnaire or survey. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey shall disclose personally identifiable information.

No questionnaire or survey requesting that students provide sexual information shall be administered to any student in kindergarten through grade six.

D. Additional Protections

A parent or emancipated student may, upon request, inspect any instructional material used as part of the educational curriculum of the student and any survey created by a third party before the survey is administered or distributed to a student. Any inspection shall be in accordance with Policy KBA Requests for Information.

In addition, in the event of the administration or distribution of a survey containing one or more of the subjects listed in subsection I.B. above, the privacy of students to whom the survey is administered will be protected by the usual and ordinary privacy measures.

II. Physical Examinations and Screenings

If the New Kent County School Division administers any physical examinations or screenings other than

- those required by Virginia law, and
- surveys administered to a student in accordance with the Individuals with Disabilities Education Act,

policies regarding those examinations or screenings will be developed and adopted in consultation with parents.

III. Commercial Use of Information

Questionnaires and survey are not administered to public school students during the regular school day or at school-sponsored events without written, informed parental consent when participation in such questionnaire or survey may subsequently result in the sale for commercial purposes of personal information regarding the individual student.

This subsection does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- college or other postsecondary education recruitment, or military recruitment;
- book clubs, magazines, and programs providing access to low-cost literary products;
- curriculum and instructional materials used by elementary schools and secondary schools;

- tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- the sale by students of products or services to raise funds for school-related or education-related activities; and
- student recognition programs.

IV. Notification

Notification of Policies

The board provides notice of this policy directly to parents of students annually at the beginning of the school year and within a reasonable period of time after any substantive change in the policy. The board offers an opportunity for the parent (or emancipated student) to opt the student out of participation in

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above; or
- any non-emergency, invasive physical examination or screening that is
 - required as a condition of attendance;
 - administered by the school and scheduled by the school in advance; and
 - not necessary to protect the immediate health and safety of the student, or of other students.

Notification of Specific Events

The board directly notifies the parent of a student, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled:

- activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information to others for that purpose);
- the administration of any survey containing one or more items listed in subsection I.B. above;
- any non-emergency, invasive physical examination or screening that is required as a condition of attendance;
 - administered by the school and scheduled by the school in advance; and
 - not necessary to protect the immediate health and safety of the student, or of other students.

V. Definitions

Instructional material: the term “instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

Invasive physical examination: the term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

Parent: the term “parent” includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

Personal information: the term “personal information” means individually identifiable information including

- a student or parent’s first and last name;
- a home or other physical address (including street name and the name of the city or a town;
- a telephone number; or
- a Social Security identification number.

Survey: the term “survey” includes an evaluation.

Adopted:	September 4, 2002	Revised:	April 22, 2013
Revised:	August 4, 2003	Revised:	January 7, 2015
Revised:	May 1, 2006	Revised:	July 13, 2015
Revised:	August 7, 2006	Revised:	April 15, 2019
Revised:	October 3, 2011		

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, § 22.1-79.3.

Cross Refs.: JHDA Human Research
 KBA Requests for Information
 KF Distribution of Information/Materials

COMMUNITY USE OF SCHOOL FACILITIES

The school board may permit use of school property under its control when such use will not impair the efficiency of the school. The superintendent shall develop guidelines and applications for use of school property. Requests for the use of any school facilities shall be made to the superintendent or his/her designee.

If the school board permits the use of its facilities by members of the community or the distribution of literature on school property or at school functions, it will permit such use or such distribution by the Boy Scouts of America and the Girl Scouts of the USA to the same extent and in the same manner as all other persons or groups.

Adopted: July 1, 1998
Revised: November 5, 2001
Revised: September 3, 2003
Revised: April 22, 2013
Revised: April 28, 2017

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-79.3, 22.1-130.1, 22.1- 131, 22.1-132.

20 U.S.C. 4071 et. seq.

Acts 2016, c. 647.

Lambs Chapel v. Center Moriches Union Free School District, 113 S. Ct. 2141 (1993)

Fairfax Covenant Church v. Fairfax City School Board, 17 F. 3d 703 (4th Cir. 1994).

SALES AND SOLICITATIONS IN SCHOOLS

No one may sell or offer for sale, within the schools, on school grounds, or at school-sponsored activities, any product or service except when the sale will benefit the educational program of the schools.

Solicitations for contributions to charitable organizations, dues for employee organizations, contributions for the benefit of professional organizations, or for school organizations may only be made outside school hours. Individual discussions between school division employees during school hours are not prohibited.

Adopted: July 1, 1998
Revised: June 2, 2008
Revised: July 2, 2012
Revised: April 15, 2019

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-78.

Cross Refs.: DJG Vendor Relations
GAH School Employee Conflict of Interests
GCQAB Tutoring for Pay
JHCH School Meals and Snacks
JL Fund Raising and Solicitation
KG Community Use of School Facilities
KJ Advertising in the Schools
KK Visitors to the Schools

PUBLIC CONDUCT ON SCHOOL PROPERTY

All visitors must register at the school office on arrival.

No one may possess or consume any alcoholic beverage in or on the grounds of any public school during school hours or school or student activities. In addition, no one may consume, and no organization shall serve, any alcoholic beverage in or on the grounds of any public school after school hours or school or student activities, except for religious congregations using wine for sacramental purposes only.

In accordance with Policy KGC Use of Tobacco and Electronic Cigarettes on School Premises, smoking and the use of electronic cigarettes is not permitted in schools or school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, shall be reported by the principal to the local law enforcement authorities.

Any person who willfully and maliciously damages, destroys or defaces any school district building, or damages or removes any school property from a school building, will be required to compensate the school division and may be prosecuted.

Any person who willfully interrupts or disturbs the operation of any school or, being intoxicated, disturbs the same, whether willfully or not, may be ejected and/or prosecuted.

Adopted: July 1, 1998
Revised: November 5, 2001
Revised: November 3, 2008
Revised: April 22, 2013
Revised: May 19, 2014
Revised: July 1, 2015

Legal Ref.: 20 U.S.C., §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 4.1-309, 18.2-415, 18.2-128, 18.2-138, 22.1-78, 22.1-79.5.

Cross Refs.: ECAB Vandalism
GBEC/JFCH Tobacco-Free School for Staff and Students
GBECA Electronic Cigarettes
KGC Use of Tobacco and Electronic Cigarettes on School Premises
KK School Visitors
KN Sex Offender Registry
KNA Violent Sex Offenders on School Property

USE OF TOBACCO AND ELECTRONIC CIGARETTES ON SCHOOL PREMISES

Smoking is prohibited

- in the interior of indoor facilities owned or leased or contracted for and utilized for the provision of regular kindergarten, elementary, or secondary educational or library services to children;
- on every public school bus and all other vehicles used by the division for transporting students, staff, visitors, or other persons; and
- in every indoor facility, or portion of such facility, owned or leased or contracted for and utilized for the provision of regular or routine health care, day care, or early childhood development (Head Start) services.

For the purposes of this policy, “smoking” means the carrying or holding of any lighted pipe, cigar, or cigarette of any kind, or any other lighted smoking equipment, or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, or cigarette of any kind.

Each principal shall post signs stating "No Smoking", or containing the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a bar across it, clearly and conspicuously in every school cafeteria or other dining facility in the school.

Electronic Cigarettes

Students are prohibited from possessing electronic cigarettes on school buses, on school premises and at school-sponsored activities.

All other persons are prohibited from using electronic cigarettes on school premises and school vehicles.

Adopted: July 1, 1998
Revised: June 5, 2001
Revised: September 4, 2002
Revised: June 2, 2003
Revised: June 2, 2008
Revised: August 3, 2009
Revised: November 19, 2012
Revised: July 1, 2015

Legal Ref.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 15.2-2820, 15.2-2824, 15.2-2827, 22.1-78, 22.1-79.5, 22.1-279.6.

Cross Refs.: JFCH /GBEC Tobacco Free School for Staff and Students
GBECA Electronic Cigarettes
KG Community Use of School Facility
KGB Public Conduct on School Property

PUBLIC GIFTS TO THE SCHOOLS

The school board shall act on offers of gifts to schools or to the school division. The school board may impose reasonable conditions on donations.

When any real or personal property is given to and accepted by the board, it shall be vested in the board unless inconsistent with the terms of the gift, devise or bequest, and shall be managed by the board, according to the wishes of the donor or testator. The board shall, in addition to the regular settlement it is required to make of all school funds, settle annually before the commissioner of accounts so far as the management of the property bequeathed or devised is concerned.

In the case of any change in the boundaries of the division, the board shall make provision for continuing the fulfillment of the purposes of the donor as far as practicable and settlement shall be made as provided for above.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: May 6, 2013
Revised: January 7, 2015

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1-126.

Cross Ref.: FFA Naming School Facilities
KJ Advertising in the Schools
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

PUBLIC SOLICITATIONS IN THE SCHOOLS

Per VSBA recommendation and NKSB 11/19/12 action, this policy has been removed.

ADVERTISING IN THE SCHOOLS

Individual schools may not endorse or imply endorsement of any product. All requests for endorsement should be directed to the superintendent or superintendent's designee.

School organizations must secure approval from the principal before soliciting advertisements from school publications. If there is need for policy clarification, the principal shall consult with the superintendent.

Commercial establishments whose primary source of revenue is the sale of intoxicants may not advertise in school publications.

Neither the facilities, nor the staff, nor the students of any school may be used in any manner for advertising or otherwise promoting the interests of any commercial or other non-school organization.

Adopted: July 1, 1998
Revised: September 4, 2002
Revised: June 2, 2008
Reviewed: April 22, 2013 – no changes
Revised: May 19, 2014

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-78

Cross Ref.: DJG Vendor Relations
JP Student Publications
KF Distribution of Information/Materials
KGA Sales and Solicitations in Schools
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships

SCHOOL VISITORS

Generally

Visitors are welcome in the schools as long as their presence is not disruptive. Upon arriving at a school, all visitors must report to the administrative office. Potential visitors, including parents, who are registered sex offenders, should consult Policy KN Sex Offender Registry Notification and Policy KNA Violent Sex Offenders on School Property before arriving at school property or school-sponsored activities. The school division expects mutual respect, civility, and orderly conduct from all individuals on school property and at school events. All visitors are expected to adhere to School Board Policy KGB – Public Conduct on School Property and shall not engage in unlawful, disrupting, threatening, or harassing behavior. Unauthorized persons, including suspended and expelled students, will be requested to leave school grounds by the building administrator. Unauthorized persons who fail to leave the school grounds or school activity as requested will be considered trespassers. The school board authorizes the superintendent to take all necessary actions regarding the safety, order and preservation of the educational environment on school board property or at school division sponsored activities. Law enforcement may be called to enforce this policy. In addition to arrest, failure to vacate school grounds after being directed to do so orally or in writing by any school administrator may lead to further restriction or prohibition from school grounds as authorized by law.

Anyone, including students, who enters a school at nighttime without the consent of an authorized person except to attend an approved meeting or service or who enters or remains on any school property, including school buses, in violation of (i) any direction to vacate the property by an authorized individual or (ii) any posted notice which contains such information, posted at a place where it reasonably may be seen may be prosecuted.

Parents

Parents are encouraged to visit the schools on scheduled days for conferences with teachers, assemblies, PTO and PTSO meetings, volunteer service, and other school programs. Non-custodial parents are not denied, solely on the basis of their non-custodial status, the opportunity to participate in any of the student's school activities in which such participation is supported or encouraged by the policies of the school board.

Board Members

Periodically, board members may visit schools within the division. The purpose of these visits is to assist in fulfilling their responsibilities and increase understanding of actual educational practices. School board members follow the same procedures applicable to all other visitors when visiting a school.

Participation in Meetings

All parties who attend meetings on school board property are expected to exhibit mutual respect, civility, orderly conduct, and adhere to School Board Policy KGB – Public Conduct on School Property. Parent/legal guardians, students, and representatives should communicate in an open, timely, and polite manner with school personnel. Parties to a school-related meeting or other communications are expected to display respectful, cooperative, and non-threatening behaviors. If communications between parties becomes non-productive, disparaging, or threatening, the party causing the disruption will be asked to leave the meeting and/or building or will be terminated from the communication. The remaining parties may continue with the meeting or communication if an adequate record of the meeting or communication is made. Any party who has unreasonably disrupted a meeting or other form of communication may be prohibited from participation in future meetings, telephone conferences, or other communications, or may be asked to participate by telephone or other means. Any visitor restricted or prohibited from school grounds by a school administrator may request that the school administrator remove the restriction or prohibition six months from the date the restriction or prohibition was imposed.

Notice of any prohibition under this section beyond a single day will be provided to the prohibited person in writing and shall include (i) the scope and length of the prohibition; and (ii) a description of the conduct that led to the prohibition; and (iii) notice that the prohibited person may request that visitation privileges be restored six months after the date the prohibition was imposed.

Adopted: July 1, 1998
Revised: November 3, 2008
Revised: October 4, 2010
Revised: April 22, 2013
Revised: May 8, 2015
Revised: August 7, 2017
Revised: August 7, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 18.2-128; 18.2-415, 22.1-4.3, 22,1-79.

Cross Refs.: DJG Vendor Relations
ECA Inventory and Reporting of Loss or Damage
IGBC Parental Involvement
KGB Public Conduct on School Property
KN Sex Offender Registry Notification
KNA Violent Sex Offenders on School Property
KP Parental Rights and Responsibilities

SERVICE ANIMALS IN PUBLIC SCHOOLS

A. Service Animals

An individual with a disability is permitted to be accompanied by his/her service animal on school property when required by law, subject to the conditions of this policy.

A “service animal” means a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (See, however, Section D regarding miniature horses.) The work or tasks performed by a service animal must be directly related to the individual’s disability.

School officials can ask the owner or handler of an animal whether the animal is required because of a disability and what work or task the animal has been trained to do unless the answers to these inquiries are readily apparent. School officials may not ask about the nature or extent of a person’s disability and may not require documentary proof of certification or licensing as a service animal.

B. Requirements that Must be Satisfied before a Service Animal will be Allowed on School Property

Request: A person who wants to be accompanied by the person’s service animal must make a prior written request. If a person wants to be accompanied by a service animal at a school, the request should be made to the school principal. If a person wants to be accompanied by a service animal at any other location, the request should be made to the superintendent. A request must indicate the scope of permission sought, including the time period and the location(s) at which the service animal will be present. Requests must be renewed each school year.

Vaccination: The service animal must be immunized against diseases common to that type of animal.

Health: The service animal must be in good health. The owner or handler of the animal must submit to the school principal or superintendent, as appropriate based on the location for which the animal’s presence is requested, each school year, documentation from a licensed veterinarian showing proof of the service animal’s current vaccinations and immunizations.

Control: A service animal must be under the control of its handler at all times. The service animal must have a harness, backpack or vest identifying the dog as a trained service dog, a leash (blaze orange in color) for hearing dogs, a harness for guide dogs, or other tether unless either the handler is unable because of a disability to use a harness, backpack, vest, leash, or other tether, or the use of a harness, backpack, vest, leash, or other tether would interfere with the service animal’s safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler’s control.

C. Service Dogs in Training

Experienced trainers of service animals may be accompanied on school property by a dog that is in training to become a service animal. The dog must be at least six months of age. Trainers must wear a jacket identifying the organization to which they belong. Persons conducting continuing training of a service animal may be accompanied by a service animal while on school property for the purpose of school business. Persons who are part of a three-unit service dog team may be accompanied by a service dog while on school property provided that person is conducting continuing training of a service dog. A three-unit service dog team consists of a trained service dog, a disabled person, and a person who is an adult and who has been trained to handle the service dog. The dogs may accompany these persons while on school property for school purposes.

Use of Harnesses, Vests, etc. A dog that is in training to become a guide dog or a currently trained guide dog that is undergoing continuing training must be in a harness.

A dog that is in training to become a hearing dog or a currently trained hearing dog that is undergoing continuing training must be on a blaze orange leash.

A dog that is in training to become a service dog or a currently trained service dog that is undergoing continuing training must be in a harness, backpack, or a vest identifying the dog as a trained service dog.

The training cannot disrupt or interfere with a school's educational process. It is expected that training would not normally take place in the classroom during instructional time.

All requirements of this policy which apply to service animals, such as health certificates, annual written requests, and supervision, care and damages, also apply to dogs in training.

D. Miniature Horses

The school division will make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the school division must consider the following factors:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
2. Whether the handler has sufficient control of the miniature horse;
3. Whether the miniature horse is housebroken; and
4. Whether the miniature horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operation.

All additional requirements outlined in this policy, which apply to service animals, shall apply to miniature horses.

E. Extra Charges

The owner or handler of a service animal cannot be required to pay an admission fee or a charge for the animal to attend events for which a fee is charged.

F. Supervision and Care of Service Animals

The owner or handler of a service animal is responsible for the supervision and care of the animal, including any feeding, exercising, and clean up.

G. Damages to School Property and Injuries

The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.

H. Removal of Service Animals from School Property

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

1. The animal is out of control and the animal's handler does not take effective action to control it;
2. The animal is not housebroken;
3. The presence of the animal poses a direct threat to the health or safety of others; or
4. The presence of an animal would require a fundamental alteration to the service, program, or activity of the school division.

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

I. Denial of Access and Grievance

If a school official denies a request for access of a service animal or a dog in training, the disabled individual or parent or guardian can file a written grievance with the school division's Section 504 Coordinator.

Adopted: March 1, 2010
Revised: May 2, 2011
Revised: October 3, 2011
Revised: April 22, 2013
Revised: January 7, 2015
Revised: September 7, 2018

Legal Refs.: 28 C.F.R. Part 35

Code of Virginia, 1950, as amended, § 51.5-44.

Cross Refs.: DJG Vendor Relations
GB Equal Employment Opportunity/Nondiscrimination
JB Equal Educational Opportunities/Nondiscrimination
JBA Section 504 Hearing Procedures
JFHA/GBA Prohibition Against Harassment and Retaliation
KK School Visitors
KGB Public Conduct on School Property
KN Sex Offender Registry Notification
KNA Violent Sex Offenders on School Property

PUBLIC COMPLAINTS

Complaints involving a particular school are handled within the school through the established channel of responsibility. If the complaint cannot be resolved at the level of the principal, it is referred to the superintendent or superintendent's designee. If the central office staff and complainant cannot reach a satisfactory solution, the matter may, at the school board's discretion, be heard at a regular board meeting. The superintendent shall promulgate a written procedure for receiving and processing such complaints.

Any parent, custodian, or legal guardian of a pupil attending the New Kent County Public Schools who is aggrieved by an action of the school board may, within thirty days after such action, petition the local circuit court to review the action of the school board. The court will sustain the action of the school board unless the school board exceeds its authority, acted arbitrarily or capriciously or abused its discretion.

Adopted: July 1, 1998
Revised: August 7, 2006
Reviewed: July 2, 2012
Revised: May 19, 2014

Legal Refs.: Code of Virginia, 1950, as amended, sections 22.1- 87, 22.1-253.13:7.

Cross Refs.: GB Equal Employment Opportunity/Nondiscrimination
GBA/JFHA Prohibition Against Harassment and Retaliation
GBLA Third Party Complaints Against Employees
JB Equal Educational Opportunities/Nondiscrimination

PROCEDURE FOR RECEIVING PUBLIC COMPLAINTS

All complaints regarding the school system or individuals employed by the school board are to be directed to the principal of the school involved, to the appropriate next level supervisor based on the current chain of command. School principals or next level supervisors should forward any unresolved complaints to the superintendent. The individual making such complaints shall expect a courteous and prompt reply after an investigation. The board shall be informed of such complaints when, in the opinion of the superintendent, they are of such magnitude as to cause undue criticism of the schools.

Adopted: July 2, 2012

PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES

Despite the care taken in selecting suitable learning resources, and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the school board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving concerns about learning resources, including instructional materials, used in teaching the curriculum.

Complaints about learning resources should be presented in writing using KLB-E, "Request for Reconsideration of Learning Resources" form, which may be obtained from the principal or the central office. The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Materials shall be considered for their educational suitability and shall not be proscribed or removed because of partisan or doctrinal disapproval. Challenges which are not resolved at the building level may be submitted to the superintendent or superintendent's designee. The decision of the superintendent may be appealed to the school board or reviewed at the school board's request. The decision of the school board will be final.

Adopted: February 1, 1999
Revised: May 1, 2006
Revised: November 3, 2008
Revised: April 22, 2013
Revised: May 19, 2014
Revised: November 2, 2015

Legal Refs: Code of Virginia, 1950, as amended, § 22.1-253:13:7.C.2;

8 VAC 20-720-160.

Cross Refs.: IIA Instructional Materials
IGAH Family Life Education
INB Teaching About Controversial Issues
KL Public Complaints
KQ Partnerships

**NEW KENT COUNTY SCHOOL DIVISION
REQUEST FOR RECONSIDERATION OF LEARNING RESOURCES**

Request By	_____		
Representing	_____	Myself	
	_____	Organization or Group (please identify)	_____
Address	_____	E-mail address	_____
Telephone	_____		
How do you prefer to be contacted?	_____		
Title or Description of Item	_____		
Author or Editor	_____		
Type of Material (book / film / record / speaker / software / other (specify))	_____		

1. Did you examine, review, or listen to this learning resource or presentation in its entirety?

- YES NO

2. Have you discussed this material with school staff who ordered it or who use it?

- YES NO

3. Are you aware of evaluations of this material by professional critics?

- YES NO

If no, would you be interested in receiving this information?

- YES NO

4. Describe what prompted your concern about the material. Please cite page numbers and/or specific information from the material to support your concerns (attach additional material, if necessary).

5. Does the general purpose for the use of the material, as described by the school staff or in the New Kent school division's program objectives, seem a suitable one for you?
 YES NO

If not, please explain (attach additional material, if necessary)

6. What action[s] would you like to see the school take regarding this material?

Do not assign it to my child The school should reevaluate the material

Other—Explain: _____

7. Are there other materials of the same subject and format that you would suggest for consideration in place of this material? YES NO

If yes, please identify your suggestions.

Signature _____

Date _____

RETURN COMPLETED FORM TO SCHOOL PRINCIPAL

RELATIONS WITH COMMUNITY ORGANIZATIONS

This policy deleted by May 19, 2014 New Kent School Board action and 2/14 VSBA recommendation.

RELATIONS WITH PARENT ORGANIZATIONS

The New Kent School Board encourages the establishment of parent-teacher organizations that seek to advance programs that improve educational opportunities for all students consistent with state and federal law. The school board requests that parent-teacher organizations maintain a close relationship with the board, administration, and staff, and that they consider school board and school policies when planning activities.

Adopted: July 1, 1998
Revised: November 3, 2008
Reviewed: April 22, 2013 – no changes
Revised: May 19, 2014
Revised: July 7, 2014

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-253.13:7.C.4.

Cross Ref.: IGBC Parental Involvement
KF Distribution of Information/Materials

SEX OFFENDER REGISTRY NOTIFICATION

The New Kent County School Division 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 New Kent County School Division shall request electronic notification of the registration or re-registration of any sex offenders 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).

Annual Notification

At the beginning of each school year, the New Kent County School Division 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 (<http://sex-offender.vsp.state.va.us/cool-ICE/>).

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.

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

The New Kent County School Division recognizes that it is the responsibility of local law enforcement to notify the community of potential public danger. Therefore, the division will not disseminate registry information to parents.

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, at 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 DJF Purchasing Procedures are met, the superintendent shall include the following language in all 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 division.

6. Parents of Students and other Visitors.

Persons who have been convicted of a sexually violent offense, as defined in Va. Code §9.1-902, may be present at school during school hours or during school-related or school-sponsored activities, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity only as provided in Policy KNA 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 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 division students.

Request for Registry Information

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

Adopted: July 1, 1998
Revised: May 3, 2004
Revised: August 7, 2006

Revised: August 6, 2007
Revised: November 3, 2008
Revised: January 6, 2010
Revised: October 4, 2010
Revised: October 3, 2011
Revised: June 17, 2013

Legal Ref: 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, 278 Va. 223 (Va. 2009)

Cross Ref: BBA School Board Powers and Duties
DJF Purchasing Procedures
KK School Visitors
KNA Violent Sex Offenders on School Property
KNAJ Relations with Law Enforcement Authorities

VIOLENT SEX OFFENDERS ON SCHOOL PROPERTY

No adult who has been convicted of a sexually violent offense, as defined in Va. Code § 9.1-902, may enter or be present, during school hours or during school-related or school-sponsored activities, at any school, on any school bus, or on any property, public or private, when such property is solely being used by an elementary or secondary school for a school-related or school-sponsored activity unless

- he is a lawfully registered and qualified voter, and is coming upon such property solely for purposes of casting his vote;
- he is a student enrolled at the school; or
- he has obtained a court order pursuant to Va. Code § 18.2-370.5.C allowing him 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 board's 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 KN Sex Offender Registry Notification.

Adopted: October 4, 2010

Revised: October 3, 2011

Revised: April 22, 2013

Legal Ref: Code of Virginia, 1950, as amended, §§ 9.1-902, 18.2-370.5.

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

Cross Ref: KK School Visitors
 KN Sex Offender Registry Notification

RELATIONS WITH LAW ENFORCEMENT AUTHORITIES

Investigations by Law Enforcement Officers at School

When it becomes necessary for any law enforcement officer to interrogate a student on school premises, the principal is contacted immediately. The principal or principal's designee makes a reasonable effort to contact the parent or guardian and have the parent or guardian in attendance for the conference. If the parent or guardian cannot be present for the conference, then the principal or principal's designee is present throughout the interrogation.

Service of Process at School

Should there be a need to serve a student or school employee with any "legal process", the school board encourages the process server to make all reasonable attempts to serve such documents off school premises; however, if the documents must be served on school premises, they should be served at the principal's office of the school which the student attends or the main office of the facility at which the employee is assigned.

In any case in which custody or visitation of a minor child is at issue and a summons is issued for the attendance and testimony of a teacher or other school employee who is not a party to the proceeding, if such summons is served on school property, it may be served only by a sheriff or his deputy.

Development of Programs

The superintendent seeks to develop, in cooperation with the local law-enforcement agencies, juvenile and domestic relations court judges and personnel, parents, and the community at large, programs and procedures to prevent violence and crime on school property and at school-sponsored events. The superintendent obtains and uses Sex Offender Registry information in accordance with Policy KN Sex Offender Registry Notification.

Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation, or jurisprudence, the principal immediately reports to local law-enforcement officials all incidents listed below that may constitute a criminal offense:

1. assault and battery which results in bodily injury, sexual assault, death, shooting, stabbing, cutting or wounding of any person, abduction of any person as described in Va. Code §§ 18.2-47 or 18.2-48, or stalking of any person as described in Va. Code § 18.2-60.3, on a school bus, on school property, or at a school-sponsored activity; or
2. any conduct involving alcohol, marijuana, , a controlled substance, imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity; including the theft of or attempted theft of student prescription medications; or

3. any threats against school personnel while on a school bus, on school property, or at school-sponsored activity; or
4. the illegal carrying of a firearm, as defined by Va. Code § 22.1-277.07, onto school property;
5. any illegal conduct involving firebombs, explosive materials or devices, or hoax explosive devices, as defined in Va. Code § 18.2-85, or explosive or incendiary devices, as defined in Va. Code § 18.2-433.1, or chemical bombs, as described in Va. Code § 18.2-87.1, on a school bus, on school property, or at a school-sponsored activity; or
6. any threats or false threats to bomb, as described in Va. Code § 18.2-83, made against school personnel or involving school property or school buses.

The principal may report to local law enforcement officials any incident involving the assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity.

Adopted: July 1, 1998
Revised: November 5, 2001
Revised: September 4, 2002
Revised: May 3, 2004
Revised: August 2, 2004
Revised: August 1, 2005
Revised: October 3, 2011
Reviewed: April 22, 2013 – no changes
Revised: May 8, 2015
Revised: August 7, 2018

Legal Refs.: Code of Virginia, 1950, as amended, §§ 8.01-47, 8.01-293, 9.1-101, 16.1-264, 22.1-279.3:1, 22.1-279.9, 22.1-280.2:1, 22.1-293.

Cross Ref.: JFC Student Conduct;
JGD/JGE Student Suspension/Expulsion
CLA Reporting Acts of Violence and Substance Abuse;
KN Sex Offender Registry Information

REPORTS OF MISSING CHILDREN

The New Kent County School Division shall receive reports of the disappearance of any child living within the school division from local law enforcement pursuant to Va. Code § 52-31.1.

Upon notification by a local law-enforcement agency of a child's disappearance, the principal of the school in which the child was enrolled at the time of the disappearance shall indicate, by mark, in the child's cumulative record that the child has been reported as missing. Upon notification by law enforcement that the child is located, the principal shall remove the mark from the record.

Upon receiving a request from any school or person for copies of the cumulative records and birth certificate of any child who has been reported by a local law-enforcement agency to be missing, the school being requested to transfer the records shall immediately notify the law-enforcement agency that provided the report to the school of the child's disappearance of the location of the school or person requesting the cumulative records and birth certificate of the child, without alerting the requestor of such report.

For the purposes of this policy, a "mark" means an electronic or other indicator that (i) is readily apparent on the student's record and (ii) will immediately alert any school personnel that the record is that of a missing child.

Adopted: May 7, 2007
Reviewed: April 22, 2013 – no changes

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-288.1; 52-31.1.

PARENTAL RIGHTS AND RESPONSIBILITIES

- A. When parents of a student are estranged, separated, or divorced, all personnel will respect the parental rights of both parents. Unless there is a court order to the contrary, both parents have the right to
1. view the child's school records, in accordance with Policy JO Student Records;
 2. receive school progress reports, the school calendar, and notices of major school events;
 3. visit the school in accordance with Policies KK School Visitors, KN Sex Offender Registry Notification, and KNA Violent Sex Offenders on School Property;
 4. participate in parent-teacher conferences; in the case of the noncustodial parent, after a timely request is made;
 5. receive all notifications in accordance with the Individuals with Disabilities Education Act; and
 6. receive notice of the student's extended absence, as defined in and pursuant to Policy JED Student Absences/Excuses/Dismissals, if both parents have joint physical custody.

B. Parent Responsibilities

The custodial parent has the responsibility to

1. keep the school office informed of his address and how he or she may be contacted at all times;
2. provide the current address and phone number of the noncustodial parent at registration unless such address is unknown and the parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent; and
3. provide a copy of any legal document which restricts the educational and/or contact rights of the noncustodial parent.

The noncustodial parent has the responsibility to keep the school office apprised of changes in his or her current phone number and address. Further, the noncustodial parent may make timely requests to participate in parent-teacher conferences. At the request of a noncustodial parent, such parent will be included as an emergency contact for the student's activities unless a court order has been issued to the contrary.

Adopted: July 1, 1998
Revised: November 5, 2001
Revised: August 1, 2005
Revised: April 2, 2012
Reviewed: April 22, 2013 – no changes

Legal Refs: 20 U.S.C. §1232g.

34 C.F.R. § 99.4.

Code of Virginia, 1950, as amended, §§ 22.1-4.3, 22.1-78, 22.1-287.

Cross Refs: JED Student Absences/Excuses/Dismissals
JO Student Records
KK School Visitors
KN Sex Offender Registry Notification
KNA Violent Sex Offenders on School Property

COMMERCIAL, PROMOTIONAL, AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS

Generally

The New Kent County School Board recognizes that corporate and other private sponsorship of programs and activities related to education can provide valuable enhancement of the educational program offered by the board. For that reason, the New Kent County School Board may enter into commercial, promotional, and corporate sponsorship and partnership arrangements under certain conditions.

Definitions

An “educational partnership” is a mutually beneficial, co-operative relationship in which partners share values, objectives, and/or human or financial resources to enhance learning for students.

An “educational sponsorship” is an arrangement pursuant to which the sponsor provides money, price reductions, equipment, materials, services, or other benefits in exchange for recognition of its products or entity for a specified period of time.

Authority to Enter into Agreements

On behalf of the school board, principals may enter into sponsorships and partnerships for their schools when the sponsorship or partnership does not extend beyond a single school year or exceed \$5,000 in value to the school.

On behalf of the school board, the superintendent may enter into sponsorships and partnerships which will benefit more than one school or the division as a whole. The superintendent may also enter into sponsorships and partnerships when the sponsorship or partnership extends beyond a single school year or exceeds \$5,000 in value.

The school board may create a Sponsorship Review Committee to approve any sponsorship or partnership which the board determines should be considered by the committee. The school board shall establish criteria identifying proposed sponsorships and partnerships which must be approved by the committee rather than by a principal or the superintendent. If the committee’s decision regarding the proposed sponsorship or partnerships is not unanimous, the decision may be appealed to the school board by either the potential sponsor or partner or by a member of the Sponsorship Review Committee.

Requirements

Any agreement to enter into an educational sponsorship or educational partnership will be in writing.

The written agreement shall include:

- A statement of the educational purpose for the relationship.
- A statement that the school board has the right to terminate the agreement without penalty if it determines that the agreement is having an adverse impact on the educational experience of students.
- A statement that if an agreement is terminated because of an adverse impact on the educational experience of students, no other agreement for an educational partnership or sponsorship will be entered into between the school board and the partner or sponsor whose agreement has been terminated for a specified period of time.
- A statement detailing the specific benefits to the school or school division from the agreement.
- A statement clearly defining the roles, expectations, rights, and responsibilities of all parties to the agreement. This statement shall include a statement of whether the agreement permits the sponsor or partner to advertise in connection with the agreement and if so, the extent of such advertising.
- A statement clearly defining whether the agreement creates any exclusive rights for the sponsor or partner and, if such rights are created, clearly defining those rights. If no exclusive rights are created, the agreement shall include a statement that the existence of the sponsorship or partnership will not limit the discretion of the school board or its personnel in the use of sponsored or nonsponsored materials.
- The duration of the agreement.
- A statement that the school or school board retains the exclusive right to authorize the use of its name, logo, or other similar information.
- A statement that the school or school board must approve its identification as a partner or co-sponsor in all publicity materials.

- A statement of the monetary value to be received by the school or school division pursuant to the agreement.
- A statement defining how the benefits arising from agreement will be distributed.
- A statement of the basis on which students will be permitted to participate in the program or otherwise benefit from the agreement.
- A statement that the sponsor or partner assumes the responsibility for obtaining the consent of any student or school board employee whose likeness may appear in any materials disseminated by the partner or sponsor.
- A statement disclosing any relationship between the sponsor or partner, or any of its employees or major stockholders, and any student, school board employee, school board member, or the superintendent.
- A statement that all partnerships and sponsorships will be consistent with all federal and state laws, local ordinances and school board policies and regulations and with all preexisting school board contracts. If the terms of the partnership or sponsorship agreement establish that the employees, contractors, or others acting on behalf of the partner or sponsor will have direct contact with students on school property during regular school hours or during school-sponsored activities, the school board will require the partner or sponsor to provide certification that all such persons have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.
- A statement that no partnership or sponsorship shall exploit any student or school board employee.
- A statement that no sponsor or partner shall be permitted to collect personal information, including names, addresses or telephone numbers of students or school board employees because of the partnership or sponsorship.
- A statement that any curriculum materials provided pursuant to the agreement will be held to the same standards as other curriculum materials.
- A statement that any participation by any student or school board employee in any activity established pursuant to the agreement will be purely voluntary. If a student or school board employee wants to participate in any sponsored or partnered activity but objects to using the materials provided by the sponsor or partner, the sponsor or partner must supply substantially similar materials to which the student does not object for that student to use in the activity. If a student objects to using materials provided by the sponsor or partner, the school board employee in charge of the activity shall provide for a means by which the student's objections are made known to other students involved in the activity and by which those objections are discussed in an educational manner.

Prohibitions

No agreement shall be entered into if the sponsorship or partnership involves or gives the appearance of involving any activity which could result in the following:

- promotion of hostility or violence;
- an attack on ethnic, racial, or religious groups;
- discrimination prohibited by any law or school board policy;
- promotion of the use of drugs, alcohol, tobacco, electronic cigarettes or firearms;
- promotion of sexual, obscene, or pornographic activities; or
- promotion of any image that is not in keeping with the established goals and purposes of the school board.

Adopted: September 4, 2002

Revised: May 1, 2006

Revised: November 3, 2008

Revised: August 3, 2009

Revised: April 22, 2013

Revised: May 19, 2014

Revised: July 1, 2015

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-79.5, 22.1-89-4; 22.1-296.1, 22.1-279.6.

Cross Refs.:

DJF	Purchasing Procedures
DJG	Vendor Relations
DO	Non-Locally Funded Programs
IIAA	Textbook Selection, Adoption, and Purchase
IIBAB	Supplementary Materials Selection and Adoption
IICB/IICC	Community Resource Persons/School Volunteers
JFCB	Sportsmanship, Ethics and Integrity
JHCF	Student Wellness
JL	Fund Raising and Solicitation
KA	Goals for School-Community Relations
KH	Public Gifts to the School
KLB	Public Complaints about Learning Resources