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## **SECTION K: School-Community Relations**

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KK	School Visitors
KKA	Service Animals in Public Schools

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## **SECTION K: School-Community Relations**

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KL	Public Complaints
KLB	Public Complaints About Learning Resources (Options 1)
KLB-E	Request for Reconsideration of Learning Resources
KLB-R	Public Complaints about Learning Resources Regulation
KMA	Relations with Parent Organizations
KN	Sex Offender and Crimes Against Minors Registry Information
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KNB	Reports of Missing Children
KP	Parental Rights and Responsibilities
KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

## 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: 5/14

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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 KING AND QUEEN 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: 5/12, Updated: 6/19

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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

KING AND QUEEN 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.

Officers, employees, and members of the School Board who fail to provide public records as required by FOIA because they altered or destroyed the requested records with the intent to avoid the provisions of FOIA are subject to penalties in their individual capacity of up to \$100 per record altered or destroyed.

The name(s) and contact information for the person(s) King and Queen 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) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the School Board's compliance with FOIA. The FOIA officer(s) receive(s) training at least once during each consecutive period of two calendar years beginning on the date on which the FOIA Officer last completed a training session by the School Board's legal counsel or the Virginia Freedom of Information Advisory Council.

Adopted: 6/20

Updated: 7/22

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.2, 2.2-3714.

Cross Ref.: KBA-E Rights and Responsibilities  
KBA-R Requests for Public Records

## **Rights & Responsibilities**

### **The Rights of Requestors and the Responsibilities of King and Queen 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**

- Citizens of the Commonwealth and representatives of the media have the right to request to inspect or receive copies of public records, or both.
- Citizens of the Commonwealth and representatives of the media have the right to request that any charges for the requested records be estimated in advance.
- If a citizen of the Commonwealth or representative of the media believes that their FOIA rights have been violated, the citizen or media representative 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 King and Queen County Public Schools**

- Records may be requested 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 King and Queen County Public Schools, nor does it require King and Queen County Public Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by King and Queen 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 King and Queen County Public Schools, direct your request to King and Queen 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 King and Queen County Public Schools FOIA Officer is:**

**Jennifer Jackson**

**804-785-5981**

**jejackson@kqps.net**

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](mailto:foiacouncil@dls.virginia.gov) or by phone at (804) 698-1810 or 1-866-448-4100.

### **King and Queen County Public Schools' Responsibilities in Responding to Your Request**

King and Queen 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 King and Queen 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 King and Queen County Public Schools to require a requestor to provide their name and legal address.

FOIA requires that King and Queen 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 King and Queen 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**

Except with regard to scholastic records requested pursuant to subdivision A 1 of Va. Code § 2.2-3705.4 that must be made available for inspection pursuant to the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g) and such requests for scholastic records by a parent or legal guardian of a minor student or by a student who is 18 years of age or older, King and Queen County Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records and makes all reasonable efforts to supply the requested records at the lowest possible cost. King and Queen County Public Schools does 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 King and Queen County Public Schools will not exceed the actual cost of duplication. Prior to conducting a search for records, King and Queen County Public Schools notifies the requestor in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquires of the requestor whether the requestor would like to request a cost estimate in advance of the supplying of the requested records as set forth in Va. Code § 2.2-3704.F. A requestor may request that King and Queen County Public Schools 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.

The requestor may have to pay for the records requested from the King and Queen 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. Any costs incurred by the King and Queen County Public Schools in estimating the cost of supplying the requested records



will be applied toward the overall charges to be paid by the requestor for the supplying of such requested records.

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.

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

### **How Charges are Determined**

The FOIA Officer, after receiving a request for records, promptly determines whether any requested documents exist and, if they do, the number and location of those records. Where a portion 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 \$4 to \$21 per quarter hour may apply
- Computer search time, charged at the rate of \$5 per quarter hour
- Computer printouts, charged at the rate of 5 cents per page
- Photocopies (including those necessary to perform redactions), charged at the rate of 5 cents per page
- Incidental out-of-pocket costs necessary to assemble the records (for example: phone, postage, or courier charges)

### **Types of Records**

The following is a general description of the types of records held by King and Queen County Public Schools:

- Personnel records concerning employees and officials of King and Queen 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 King and Queen County Public Schools website at [www.KQPS.net](http://www.KQPS.net))
- Records of contracts to which King and Queen County Public Schools is a party

### **Commonly Used Exemptions**

The Code of Virginia allows any public body to withhold certain records from public disclosure. King and Queen 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 King and Queen 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 King and Queen County Public Schools.

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

The general policy of King and Queen 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.

Adopted: 6/23

## REQUESTS FOR INFORMATION

KING AND QUEEN 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.

Jennifer Jackson is King and Queen County School Board's FOIA Officer(s). The FOIA Officer(s) serve(s) as a point of contact for members of the public in requesting public records and coordinate(s) the school board's compliance with FOIA. The FOIA Officer(s) may be reached at the King and Queen County School Board Office, King and Queen County Administration Building, King and Queen Court House, VA 23085, [jejackson@kqps.net](mailto:jejackson@kqps.net), Phone: 804-785-5981, Fax: 804-785-5686

### Access to Records

1. When practicable, the following records are available on request at the central office: Recent School Board minutes and meeting agendas, School Board Policy Manual, School Board budget, Teacher Licenses.
2. Unless otherwise specified by the FOIA Officer, inspection of records takes place at the central office of King and Queen County School Board during its regular office hours and records are not removed from that site. Copies may be 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 King and Queen County 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 Record 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 King and Queen County Public Schools FOIA Officer at: 242 Allen's Circle, P.O. Box 97, King and Queen Court House, VA 23085  
Phone: 804-785-5981, Fax: 804-785-5686
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 provide 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 shall 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. Prior to conducting a search for records, King and Queen County Public Schools notifies the requestor in writing that it may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquires of the requestor whether the requestor would like to request a cost estimate in advance of the supplying of the requested records as set forth in Va. Code § 2.2-3704.F. A requestor may request that King and Queen County Public Schools 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. Any costs incurred in estimating the cost of supplying the requested records will be applied toward the overall charges to be paid by the requester for the supplying of such requested records.
2. 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 section(s) or other law 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.

3. 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 \$5.00 to \$8.00 per quarter hour may apply.
  - Computer search time, charged at the rate of \$5.00 per quarter hour
  - Computer printouts, charged at the rate of \$0.05 cents per page
  - Photocopies (including those necessary to perform redactions), charged at the rate of \$0.05 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: 5/19

Updated: 7/22

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Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-3704, 2.2-3704.01, 2.2-3704.1, 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 \_\_\_\_\_

Identification must be presented prior to inspection of records or receipt of copies. A photocopy of identification is acceptable with a mailed/faxed request.

**STAFF USE ONLY**

Date Request Received: \_\_\_\_\_

Request was made (check one)

☐ by requester on this form☐ by telephone☐ in writing other than on form

(attach original request)

Date Response Sent: \_\_\_\_\_

(attach copy)

☐ Identification Verified

Type: \_\_\_\_\_

Number: \_\_\_\_\_

☐ Itemized Cost Estimate Attached

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

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Reasonable costs may be assessed in connection with this request. A current schedule of costs appears in Regulation KBA-R Requests for Information. 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. KING AND QUEEN 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:**

KING AND QUEEN COUNTY PUBLIC SCHOOLS  
PO Box 242, King and Queen Court House, VA 23085

## 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.</u> <u>Pages</u>	<u>Delivery Method</u> <u>(mail, e-mail,</u> <u>etc.)</u>	<u>Date of</u> <u>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



## **Rights & Responsibilities**

The Rights of Requestors and the Responsibilities of KING AND QUEEN 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 KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools, nor does it require KING AND QUEEN COUNTY Public Schools to create a record that does not exist.
- A requestor may choose to receive electronic records in any format used by KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools, direct your request to KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools FOIA Officer is:**

**Anne T. Kennedy**

**242 Allen's Circle, Suite M, 2<sup>nd</sup> Floor**

**P.O. Box 97**

**King and Queen Court House, VA 23085**

**Phone: (804) 785-5981**

**Fax: (804) 785-5686**

**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](mailto:foiacouncil@dls.virginia.gov) or by phone at (804) 225-3056 or 1-866-448-4100.**

### **KING AND QUEEN COUNTY Public Schools' Responsibilities in Responding to Your Request**

KING AND QUEEN 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 KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools to require a requestor to provide their name and legal address.

FOIA requires that KING AND QUEEN 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 KING AND QUEEN 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**

KING AND QUEEN COUNTY Public Schools may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying or searching for the requested records. KING AND QUEEN 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 KING AND QUEEN 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 KING AND QUEEN 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, KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools:

- Personnel records concerning employees and officials of KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools website at [www.kqps.net](http://www.kqps.net))
- Records of contracts to which KING AND QUEEN COUNTY Public Schools is a party

## **Commonly Used Exemptions**

The Code of Virginia allows any public body to withhold certain records from public disclosure. KING AND QUEEN 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 KING AND QUEEN 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 KING AND QUEEN COUNTY Public Schools.

The general policy of KING AND QUEEN COUNTY Public Schools is to invoke the contract negotiations exemption whenever it applies in order to protect KING AND QUEEN COUNTY Public Schools bargaining position and negotiating strategy.

The general policy of KING AND QUEEN 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.

Adopted: 06/17

## 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 is released only with the approval of the principal and in accordance with state and federal laws regarding confidentiality.

Adopted: 3/21

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

Cross Ref.:	JO	Student Records
	KA	Goals for School-Community Relations
	KB	Public Information Program

## INTERNET PRIVACY

The KING & QUEEN School Board is committed to complying with the Government Data Collection and Dissemination Practices Act and the Virginia Freedom of Information Act. The KING & QUEEN 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.

The KING & QUEEN School Board collects the following information through its website:

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 date and time of access.

Nonessential technical information: the Internet address of the website from which you linked directly to our website.

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.

Our website does not place any "cookies" on your computer.

Information collected through the division's website is used as follows:

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 30 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.

The Superintendent is responsible for creating and updating, as necessary, an internet privacy policy statement. The statement is available of the division’s website in a conspicuous manner.

Adopted: 12/23

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Legal Refs: Code of Virginia, 1950, as amended, § 2.2-3803.





## COMMUNITY INVOLVEMENT IN DECISION MAKING

The KING AND QUEEN School Board calls 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 serve without compensation.

Adopted: 5/12, Updated: 3/21

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

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 KING AND QUEEN School Board to observe its deliberations. Any member of the community may address the School Board on matters related to the KING AND QUEEN public schools at any regular meeting as follows: Monthly School Board Meetings, Work Sessions, Superintendent's Budget Hearing. Persons wishing to address the School Board are requested to contact the superintendent, the School Board chair or their designee for placement on the agenda.

The chair is responsible for the orderly conduct of the meeting and rules on such matters as the appropriateness of the subject being presented and length of time for such presentation. Upon recognition by the chair, the speaker shall address the chair and if, at the conclusion of the speaker's remarks, any member of the School Board desires further information, the member addresses the speaker only with the permission of the chair. No one is allowed to make additional presentations until everyone who wishes to speak has an opportunity to make an initial presentation.

Adopted: 6/18, Updated: 4/21

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

Cross Ref.: BDDE Rules of Order

## PUBLIC PARTICIPATION AT SCHOOL BOARD MEETINGS REGULATIONS

Members of the community are invited and encouraged to attend meetings of the King and Queen School Board to observe its deliberations. Any member of the community who is a resident of one of the magisterial districts of King and Queen County may address the School Board on matters related to the King and Queen County Public Schools at any regular meeting as provided in this regulation.

Public remarks must be made during the Public Comment portion of the meeting agenda. Persons wishing to address the School Board are requested to contact the superintendent, the School Board chairman or their designee for placement on the Public Comment list. School Board members do not respond to public comment during the meetings or hearings. The School Board reviews letters and emails sent to the School Board.

Each speaker may address an item on the School Board agenda or may address an item not of the agenda, however, all comments should address a matter related to King and Queen County Public Schools. The School Board will not hear public comment that involves a complaint about an individual staff member, a personnel action, a student disciplinary matter, a complaint about an individual, or pending litigation.

Each speaker may speak up to three minutes. A timer is used to time all remarks, and speakers should conclude their remarks when the buzzer sounds. Only individuals signed up to speak will be allowed to address the School Board. Time may not be "yielded" to other speakers. If there are a large number of speakers, the Board may limit the total time to 30 minutes and/or reduce the time allotted for each speaker.

The School Board expects that each speaker will be courteous, modeling for our students how one can respectfully disagree with others' views. No profanity or vulgar language is permitted. Speakers will address their comments to the entire School Board and not to one individual Board member, nor to the Superintendent, to a staff member, nor to the audience. Speakers will not engage in personal attacks. Speakers will present their comments from the podium provided for them. Any speaker who violates any one of these regulations will be ruled out of order by the Chairman and asked to relinquish the podium.

Speakers who want to address any school related matter may call the School Board Office until 4:00 p.m. the day of the meeting to be added to the Public Comment list. Speakers may also sign up for Public Comment prior to the Board meeting being called to order by the Chairman. Speakers will be called in the order in which they sign up.

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.

Issued: 7/18 Updated: 7/19

## DISTRIBUTION OF INFORMATION/MATERIALS

The King and Queen County School Board seeks to minimize intrusions on the time of students and employees by communications from sources other than the school division. Approval must be obtained from the superintendent, or superintendent's designee, before any materials may be distributed or made available at the request of non-school organizations. Approval will be granted only for materials from governmental organizations regarding activities related to the educational mission of the King and Queen 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 products, nicotine vapor products, or any illegal substance or action;
- endorse or encourage any violation of the Standards of Student Conduct (see Policy JFC Student Conduct); or
- are obscene, pornographic, or defamatory.

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 are not 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: 8/23

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

Child Evangelism Fellowship of Maryland, Inc. v. Montgomery County Public Schools, 457 F.3d 376 (4<sup>th</sup> 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.

Acts 2016, c. 647.

Cross Refs.: JOB Administration of Surveys and Questionnaires  
KG Community Use of School Facilities  
KQ Commercial, Promotional, and Corporate Sponsorships and Partnerships



## ADMINISTRATION OF SURVEYS AND QUESTIONNAIRES

### I. Instructional Materials and Surveys

#### A. Inspection of Instructional Materials

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used as part of the educational curriculum for a student or which will be used in connection with any survey, analysis, or evaluation as part of any federally funded program shall be 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 shall be 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 not 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 Protection of Pupil Rights Amendment (PPRA).

### II. Physical Examinations and Screenings

If the KING AND QUEEN 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 surveys shall not be 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 shall provide 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 will also offer 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 nonemergency, 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 will directly notify 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 (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 nonemergency, 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 town);
- a telephone number; or
- a Social Security identification number.

Survey: the term "survey" includes an evaluation.

Adopted: 8/15

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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/Material

## COMMUNITY USE OF SCHOOL FACILITIES

The School Board may permit use of school property by members of the community 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 superintendent's designee. The superintendent shall report actions taken under this policy to the School Board at the end of each month.

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, the Girl Scouts of the United States of America, and other youth groups designated as patriotic societies by federal law, to the same extent and in the same manner as all other persons or groups.

Adopted: 8/12, Updated: 6/19

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Legal Refs.: 20 U.S.C. § 7905

Code of Virginia, 1950, as amended, §§ 22.1-79.3, 22.1-130.1, 22.1-131, 22.1-132.

Acts 2016, c. 647.

Cross Refs.: GBEC/JFCH/KGC	Tobacco Products and Nicotine Vapor Products
IGDA	Student Organizations
KF	Distribution of Information/Materials

## COMMUNITY USE OF SCHOOL FACILITIES

“The School Board or the Division Superintendent, subject to the approval of the Board, may provide for, or permit, the use of school buildings and grounds out of school hours during the school term, or in vacations, for any legal assembly, or may permit the same to be used as voting places in any primary, regular, or special election. The Board shall adopt rules and regulations necessary to protect school property when used for such purposes” – (State Law)

School facilities are for the students. Use of facilities is a privilege for other groups.

Use of buildings and grounds by school groups for educational purposes after school hours shall be handled by the principal of the school according to policies and regulations of the Board. The Board may cancel permission to use school building and grounds when such action is necessary for the best interest of the school division.

The Board’s intent is to provide building access to a broad constituency. Outside groups may not use the building more frequently than once per month. Use of buildings and grounds by groups not a part of the school shall be governed by the following and may be cancelled on the same basis as stated above with reference to school groups:

1. Church groups, commercial or professional entertainers, and out-of-county groups may be given the use of school buildings and grounds if the program is of a cultural or an educational nature. (For example, retirement gatherings, birthday parties, graduation parties, baby or wedding showers are not permitted.)
1. Permission to use the buildings and grounds by such groups shall be granted with the approval of the Superintendent, unless a special situation arises that requires the action of the Board. Requests shall be presented for action no less than 30 days prior to the date scheduled for the event. The principal or his designee shall be present for such activities.
2. The custodial service from a King and Queen County Public Schools (KQCPS) staff member is required. Payment for this service shall be a flat rate of \$25.00 per hour and will be billed after the event. Payment will be made to King and Queen County Public Schools. If the building use is during the regular custodial day, custodial fees shall not be collected from the following groups: PTA meetings, school-sponsored activities, professional education organizations, non-school organizations whose purpose is to improve and educate the community in civic growth and welfare, and performances by local talent and non-professionals sponsored by civic groups when any net profit is used for school betterment projects.

Public school property may be used by the citizens of King and Queen County Public Schools under the following rules and regulations:

2. All applications for the use of school property must be made as the office of the Superintendent through an officer of an organization, or two responsible citizens on regular application form furnished by the Board. The organization, or parties, signing the application will be held responsible for any damage to building, furniture, or equipment.
3. If the application is approved, the Superintendent’s office will issue a letter for the use of the property.

4. No individual or group will be permitted to use the school facilities without the principal having first approved the application. No building should be considered reserved until the written application is on file and the letter is issued from the Superintendent.
5. The requirements of the regular school program shall receive first consideration.
6. The use of any school facility shall in no way interfere with the regular school program.
7. School-related activities shall be given priority over non-school-related organizations.
8. No series of engagements for the same building will be permitted, and no secret meetings will be allowed.
9. School buildings shall not be rented to commercial organizations or private individuals for fund-raising purposes, even though funds raised are contributed to charitable organizations.
10. Community organizations renting a school auditorium may use a school piano, provided it is not moved. If it is desired to have the piano tuned, the request should be made to the designated person in the office of the Superintendent, who shall arrange to have the piano tuned at the expense of the organization using it. Renting organizations are forbidden to move school pianos.
11. Pianos and other large musical instruments shall not be moved into a school either as a gift or a loan, without the approval of the Superintendent or his/her designee.
12. Gymnasium shoes shall be required of all who use the school gymnasium.
13. No electrical equipment or appliances of any kind shall be brought to and/or used in any school building by any person without approval of the designated person in the office of the Superintendent.
14. The use of tobacco in any form on school grounds or in the school building shall not be permitted.
15. No display advertising shall be erected or mentioned on school property except by action of the School Board.
16. The School Board reserves the right to revoke at any time a permit granted, in which event any fees which have been paid will be refunded.
17. The Superintendent of Schools is authorized to promulgate such administrative rules as are necessary to implement these policies.
18. Use of alcoholic beverages and illegal drugs shall be prohibited at all times on school property.
19. Additional guidelines for any group seeking use of outdoor sports facilities are necessary to protect the integrity of the sport facilities. At times, during the school year or during inclement weather conditions, outdoor sports facility use may be limited at the discretion of the Principal. The following are guidelines for requesting use of outdoor sport facilities:
  - A. The locker rooms will not be available for guests.
  - B. Fields will be prepared for games by the groups using the field. No lime is to be used to mark the fields
  - C. Parking vehicles inside the fenced area or on a field is prohibited.
  - D. Play will not be permitted during the months of December through March.

- E. Games will not be played if the field is wet. This decision will be made by the KQCPS administrators.

Issued: 4/17

Cross Ref.: EDC Authorized Use of School Owned Facilities and Materials

## SCHOOL - OWNED VEHICLES

Every vehicle owned by the school system shall be used only for school-related uses and not for any personal uses, except for de minimis personal use as defined by the Internal Revenue Service. When the School Board provides a school owned vehicle for the use of an employee, the School Board may authorize the employee to commute between work and home and is subject to periodic review.

The King and Queen County School Board agrees that it will be responsible for the automobile liability insurance coverage for these vehicles.

The King and Queen County School Board will include the value of the employee's personal usage for commuting in each employee's W-2 form annually. This value will be computed under methods as established by IRS regulations. Social Security and Medicare contributions shall be withheld as required by the IRS.

Adopted: 01/14

Cross Ref.: EDC



## 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: 11/08

Updated: 1/18, 3/19, 4/22

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

Cross Refs.: DJG	Vendor Relations
GAB/IIBEA	Acceptable Computer System Use
GAH	School Employee Conflict of Interests
GCQAB	Tutoring for Pay
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 KING AND QUEEN 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 Tobacco Products and Nicotine Vapor Products, use of tobacco products and nicotine vapor products is not permitted in schools, at school-sponsored events, or in school vehicles.

Any person found to be engaged in or advocating illegal activity while on school property, including school buses, is 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, is 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: 8/14, Updated: 4/18, Updated: 6/19, Updated: 3/21

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Legal Refs.: 20 U.S.C. §§ 6083, 7973.

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/KGC	Tobacco Products and Nicotine Vapor Products
	KK	School Visitors
	KN	Sex Offender and Crimes Against Minors Registry Information

## USE OF TOBACCO AND ELECTRONIC CIGARETTES ON SCHOOL PREMISES

### Generally

Students are prohibited from possessing any tobacco product or nicotine vapor product on a school bus, on school property, or at an on-site or off-site school sponsored activity.

In addition, the use or distribution of any tobacco product or nicotine vapor product, on a school bus, on school property, or at an on-site or off-site school-sponsored activity is prohibited.

The superintendent is responsible for developing a regulation which contains

- provisions for the enforcement of this policy among students, employees, and visitors, including the enumeration of possible sanctions or disciplinary actions, and
- referrals to resources to help staff and students overcome tobacco addiction.

### Definitions

"Nicotine vapor product" means any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from nicotine in a solution or other form. "Nicotine vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any cartridge or other container of nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. "Nicotine vapor product" does not include any product regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

"Tobacco product" means any product made of tobacco and includes cigarettes, cigars, smokeless tobacco, pipe tobacco, bidis, and wrappings. "Tobacco product" does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA under Chapter V (21 U.S.C. § 351 et seq.) of the Federal Food, Drug, and Cosmetic Act.

Adopted: 12/23

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Legal Refs.: 20 U.S.C. §§ 6083, 7183.

Code of Virginia, 1950, as amended, §§ 18.2-371.2, 22.1-79.5, 22.1-279.6.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse  
GBEC/JFCH Tobacco Products and Nicotine Vapor Products  
KG Community Use of School Facilities  
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: 12/14; Updated: 4/18; Updated: 6/19

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Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-126.

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

## 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 for 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: 5/14; Updated: 4/18; Updated: 6/19

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

Cross Refs.: 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 and Crimes Against Minors Registry Information 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. 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.

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, PTA meetings, volunteer service and other school programs. Noncustodial parents are not denied, solely on the basis of their noncustodial status, the opportunity to participate in any of the student's school or day care 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.

Adopted: 5:15, Updated: 3/21

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Legal Ref.: 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  
 GAB/IIBEA Acceptable Computer System Use

IGBC	Parental Involvement
KGB	Public Conduct on School Property
KN	Sex Offender and Crimes Against Minors Registry Information
KP	Parental Rights and Responsibilities

## SERVICE ANIMALS IN PUBLIC SCHOOLS

### A. Service Animals

An individual with a disability is permitted to be accompanied by the individual's 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.

#### A. Requirements That Must be Satisfied Before a Service Animal Will be Allowed on School Property

Vaccination: The service animal must be vaccinated as required by law.

Health: The service animal must be in good health.

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.

### B. 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 annual written requests, and supervision, care and damages, also apply to dogs in training.

### C. 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 considers 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, also apply to miniature horses.

### D. Extra Charges

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

#### E. 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.

#### F. 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.

#### G. 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.

#### H. 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: 08/15

Updated: 11/18, 5/20, 3/21, 4/22

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Legal Refs.: 28 C.F.R. 35.104, 35.136\_

Code of Virginia, 1950, as amended, §§ 3.2-6521, 51.5-44.

Cross Refs.: DJG  
GB  
JB

Vendor Relations  
Equal Employment Opportunity/Nondiscrimination  
Equal Educational Opportunities/Nondiscrimination

JBA	Section 504 Nondiscrimination Policy and Grievance Procedures
JFHA/GBA	Prohibition Against Harassment and Retaliation
KK	School Visitors
KGB	Public Conduct on School Property
KN	Sex Offender and Crimes Against Minors Registry Information

## 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.

Any parent, custodian, or legal guardian of a pupil attending the KING AND QUEEN 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 exceeded its authority, acted arbitrarily or capriciously or abused its discretion.

Adopted: 5/14

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

## PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES

The procedure for filing a complaint concerning learning resources is as follows:

1. The complaint should be filed in writing with the principal on the "Request for Reconsideration of Learning Resources" form KLB-E. This form may be obtained from the principal or the central office.
2. A review committee consisting of the principal, the library media specialist, the classroom teacher (if involved), a parent and/or student and the complainant will convene.

The responsibilities of the committee are to:

- a. read, view or listen to the challenged material;
  - b. read several reviews, if available;
  - c. check standard selection aids;
  - d. talk with persons who may be knowledgeable about the material in question and similar material;
  - e. discuss the material;
  - f. make a decision to recommend retaining or withdrawing the material;
  - g. file the recommendation of the committee with the principal and the superintendent or superintendent's designee;
  - h. notify the complainant of its recommendation and the disposition of the challenged material.
3. The complainant may appeal the decision to the superintendent or superintendent's designee and, then, to the School Board.

Adopted: 5/14

Updated: 7/22

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

Cross Refs.:	IIA	Instructional Materials
	IGAH	Family Life Education
	INB	Teaching About Controversial Issues
	KL	Public Complaints
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships



KING AND QUEEN 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

If yes, please identify the staff person(s) with whom you had the discussion:

\_\_\_\_\_

[Print name of staff person(s)]

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 KING AND QUEEN 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**

Updated: 4/18; Updated: 6/19



## **PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES**

Resolving complaints about the selection and use of learning resources requires a recognition of responsibilities and considerations of the rights of the individual, the student, the community, the principal, the teacher, the media specialist, the school and the Board of Education.

In reviewing complaints, the following questions should be asked to determine whether the complaints point up inconsistencies with the school division's initial selection objectives:

1. Are the materials appropriate for instructional use such that they enrich and support the attainment of the educational objectives of the curriculum, taking into consideration the varied interests, abilities, intellectual development and maturity levels of the pupils served and the standards of the community?
2. Do the materials stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards?
3. Do the materials provide a background of information which will enable pupils to make intelligent judgements in their daily lives?
4. Do the materials contribute to the presentation of opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical analysis of all media?
5. Are the materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage?
6. Do the materials promote the goal of providing a comprehensive collection appropriate for the interests and needs of the users, recognizing their right to access a wide range of reading materials?

### **PROCEDURES FOR REVIEW**

Most complaints can and should be resolved at the building level. Many concerns are the result of simple misunderstandings or misinformation and can be resolved through informal inquiry and discussions with principals and/or teachers or library media specialists.

When a complaint is received, the school principal will check decisions on questioned and challenged learning resources on file in the office of the Assistant Superintendent to determine whether the learning resource has been questioned before. If a decision is on file and the challenge is substantially the same, the principal will share that decision with the complainant. If any significant difference is

found in the new challenge, or if the learning resource has not been challenged before, the following procedure shall apply:

1. Discussion with School Principal

- a) The school principal will hold a conference with the complainant. At the discretion of the principal, the teacher or the library media specialist using the resource will be present at the conference.
- b) If the complainant is dissatisfied with the results of the conference or if the proposed action in response to the complaint affects the availability of the materials to or use by other students, the principal will inform the complainant of this regulation and provide the complainant with the form "Citizen's Request for Reconsideration of Learning Resources."
- c) Upon receipt of the appropriate completed form the principal will forward the form, with a written report of the conference held with the complainant, to the Assistant Superintendent, the teacher or media specialist involved and the citizen.

2. Review and Recommendation by the Challenged Materials Committee

- a) The Assistant Superintendent will promptly review the form and report to determine completeness and specificity of the complaint, obtain a copy of the learning resource being questioned and schedule a meeting of the Challenged Materials Committee.
- b) The Committee shall be comprised of one parent organization (i.e. PTA, etc.) president, one principal, one media specialist, and one certified teacher. The principal, media specialist and teacher will be selected from a school other than the one involved.
- c) Oral and/or written testimony for consideration by the Committee will be limited to the complainant or designee, the teacher or media specialist involved, the principal and the Assistant Superintendent.
- d) The Committee will provide a written report and recommendation to the Superintendent after reviewing and considering the following: i) written complaint; ii) principal's report; iii) available professional reviews; iv) applicable curriculum guides; v) objectives, criteria and procedure for the initial selection of materials; and vi) the merits of the questioned materials taken as a whole.
- e) The Committee's review, evaluation and recommendations shall be limited to specific matters stated in the Citizen's Request for Reconsideration of Learning Resources.

3. Decision of the Superintendent

The Superintendent will review the Committee's report and recommendations and will submit an administrative decision to the Board of Education. The

Superintendent will also inform the complainant, the Committee and the staff members involved of that decision.

4. Alternative Courses of Action

Following consideration of the complaint, the following courses of action are available: No change in status or use of the materials; provide optional or alternative assignment; use with professional guidance; use with parental permission; place materials at a higher grade level; place other limitation upon the use of the materials; withdraw from use of all students of the schools; withdraw from all schools of the division.

5. Appeal to the Board/ Review by the Board

The complainant, any other citizen within the school division or any staff member has the right to appear before the Board of Education the next regularly scheduled meeting following receipt of the Superintendent's decision to appeal. Any board member may also request that the decision be reviewed in the absence of an appeal. The board will consider any appeal or, in the absence of an appeal, close the appeal process at such meeting.

6. Status During Review/Appeal

In the absence of extraordinary circumstances, no action affecting the availability to students of previously approved learning resources shall be taken until such time as review/appeal process has been completed.

Approved: 5/17 Updated: 7/19

## RELATIONS WITH PARENT ORGANIZATIONS

The KING AND QUEEN 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: 8/14

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

Cross Refs.: IGBC  
KF

Parental Involvement  
Distribution of Information/Materials

## SEX OFFENDER AND CRIMES AGAINST MINORS REGISTRY INFORMATION

### Generally

Each school in the division registers with the Department of State Police to receive electronic notice of the registration, reregistration, or verification of registration information of any person required to register with the Sex Offender and Crimes Against Minors Registry (the Registry) within the division.

The superintendent establishes procedures regarding the use and distribution of information received from the Registry. Information received from the Registry may not be used to intimidate or harass.

The superintendent notifies the parent of each student enrolled in the school division of the availability of information in the Registry and the location of the website.

### Visitors to Schools

When the school division learns that a parent, other than a parent who has been convicted of a Tier III offense as defined in Va. Code § 9.1-902, of an enrolled student is required to register with the Registry, the parent is 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 such a parent is permitted at school or at school functions the parent is monitored to ensure that he or she does not come into contact with any children other than the parent's own children.

When the school division learns that any person other than the parent of an enrolled student, who is required to register with the Registry, but who has not been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, seeks to be present at school or at school functions, the person is 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 consider requests to be present at school or at school sponsored activities from all persons who are required to register with the Registry but have not been convicted of a Tier III offense as defined in Va. Code § 9.1-902 in accordance with procedures established by the superintendent.

No adult who has been convicted of a Tier III offense, as defined in Va. Code § 9.1-902, may enter or be present during school hours, and during school-related or school-sponsored activities on any property the person knows or has reason to know is a school or child day center property, 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

- the person is a lawfully registered and qualified voter and is coming upon such property solely to vote;
- the person is a student enrolled at the school; or
- the person has obtained a court order pursuant to Va. Code 18.2-370.5.C allowing the person 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.

Adopted: 3/21

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Legal Ref: Code of Virginia, 1950, as amended, §§ 22.1-79, 22.1-79.3, 9.1-902, 9.1-914, 9.1-918 and 18.2-370.5.

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

Cross Ref: BBA School Board Powers and Duties  
DJF Purchasing Procedures  
KK School Visitors  
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 boards' terms and conditions and those of the court order.

Persons who have been convicted of other sexual offenses may be permitted to be present at school in certain circumstances in accordance with Policy KN Sex Offender Registry Notification.

Adopted: 8/11

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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 interrogation. If the parent or guardian cannot be present for the interrogation, 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 and Crimes Against Minors Registry Information.

### Report to Law Enforcement Officials

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to the local law-enforcement agency all incidents involving alcohol, marijuana, a controlled substance, an imitation controlled substance, or an anabolic steroid on a school bus, on school property, or at a school-sponsored activity, including the theft or attempted theft of student prescription medications that may constitute a felony offense.

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal immediately reports to the local law-enforcement agency all incidents involving

- the 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;

- any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity;
- the illegal carrying of a firearm, as defined in Va. Code § 22.1-277.07, onto school property;
- 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; and
- 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

except that a principal is not required to but may report to the local law-enforcement agency any incident involving any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity committed by a student who has a disability.

Except as may otherwise be required by federal law, regulation or jurisprudence, the principal may report to the local law-enforcement agency any incident described in Va. Code § 22.1-279.3:1.A that is not required to be reported pursuant to the two previous paragraphs.

If the local law-enforcement agency employs school resource officers, the School Board and the agency have a memorandum of understanding that sets forth the powers and duties of the school resource officers. The memorandum of understanding addresses the use of seclusion and restraint by law enforcement personnel in school settings. The School Board and the law-enforcement agency review and amend or affirm the memorandum of understanding at least once every two years or at any time upon the request of either party. The School Board provides notice and an opportunity for public input during each review period for the memorandum of understanding. The current memorandum of understanding is conspicuously published on the division website.

Adopted: 5/15

Updated: 4/18, 5/19, 6/20, 3/21, 7/22

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, 22.1-280.2:3, 22.1-293.

8 VAC 20-750-70.

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



## REPORTS OF MISSING CHILDREN

The KING AND QUEEN County School Division receives 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 indicates, 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 removes 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 immediately notifies 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) immediately alerts any school personnel that the record is that of a missing child.

Adopted: 5/07

Updated: 4/22

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

Cross Refs.: KNAJ

Relations with Law Enforcement Authorities

## PARENTAL RIGHTS AND RESPONSIBILITIES

All staff members respect the parental rights of both parents. Unless there is a law, legally binding document, or court order to the contrary, both parents have the right to

- inspect and review the child's school records, in accordance with Policy JO Student Records;
- 1. visit the school in accordance with Policies KK School Visitors and KN Sex Offender and Crimes against Minors Registry Information.
- 2. receive all notifications required by law.

### Parent Responsibilities

The custodial parent has the responsibility to

- keep the school office informed of the parent's address and how the parent may be contacted at all times;
- provide the current address and phone number of the noncustodial parent at registration unless such address is unknown and the custodial parent signs a statement to that effect, or unless a court order restricts the educational or contact rights of the noncustodial parent; and
- 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 informed of changes in the parent's phone number and address. 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: 5/12, Updated: 3/21

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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: JO                      Student Records  
              KK                      School Visitors  
              KN                      Sex Offender and Crimes against Minors Registry Information

## COMMERCIAL, PROMOTIONAL AND CORPORATE SPONSORSHIPS AND PARTNERSHIPS

### Generally

The King and Queen 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 BLANK 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 partnership 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, school division policies and regulations, and 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 sponsor or partner must certify that all such persons have not been convicted of any violent felony set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02; any offense involving the sexual molestation or physical or sexual abuse or rape of a child, or the solicitation of any such offense, or any crime of moral turpitude.

- A statement that 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 individuals acting on behalf of the partner or sponsor may have been convicted of any felony or crime of moral turpitude that is not set forth in the definition of barrier crime in subsection A of Va. Code § 19.2-392.02 and does not involve the sexual molestation, physical or sexual abuse, or rape of a child, or the solicitation of any such offense, provided that in the case of a felony conviction, the individual's civil rights have been restored by the Governor.
- 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 products, nicotine vapor products, 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: 6/23

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Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-79.5, 22.1-89.4, 22.1-296.1.

Cross Refs.: DJF Purchasing Procedures  
DJG Vendor Relations  
DO Non-Locally Funded Programs  
IIAA Textbook Selection, Adoption, and Purchase  
IIAB 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