
SECTION E: Support Services

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* Policy adopted by Radford City Schools

SUPPORT SERVICES

The non-instructional operations of the school division are an important component of the educational process and support the instructional program.

Therefore, the School Board will ensure the proper operation, maintenance, and management of school buildings, grounds, vehicles, equipment, and services.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 9, 2009.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79(3), 22.1-184, 22.1-253.13:2

Cross Refs.: EBA Buildings and Grounds Inspection
EC Buildings and Grounds Management and Maintenance

SCHOOL CRISIS, EMERGENCY MANAGEMENT, AND MEDICAL EMERGENCY RESPONSE PLAN

Each school will develop a written school crisis, emergency management and medical emergency response plan as defined below. The School Board will annually review each school's plan. The School Board has the authority to withhold or limit the review of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. The Department of Education and the Virginia Center for School Safety will provide technical assistance to the school division in the development of the plans. In developing these plans, schools may consult the model school crisis, emergency management, and medical emergency response plan developed by the Board of Education and the Virginia Center for School Safety.

Each school will annually conduct school safety audits as defined below. The results of such school safety audits will be made public within 90 days of completion. The school board may withhold or limit the release of any security plans and specific vulnerability assessment components as provided in the Virginia Freedom of Information Act, Va. Code § 2.2-3705.2. Each school will maintain a copy of the school's safety audit, which may exclude such security plans and vulnerability assessment components, within the office of the school principal and will make a copy of such report available for review upon written request.

"School crisis, emergency management, and medical emergency response plan" means the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications or shelter; bus or other accidents; medical emergencies, including cardiac arrest and other life threatening medical emergencies; student or staff member deaths; explosions; bomb threats; gun, knife or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance or kidnapping of a student; hostage situations; violence on school property or at school activities; incidents involving acts of terrorism and other incidents posing a serious threat of harm to students, personnel, or facilities. The plan shall include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § Va. Code § 19.2-11.01, as well as current contact information for both.

"School safety audit" means a written assessment of the safety conditions in each public school to (1) identify and, if necessary, develop solutions for physical safety concerns, including building security issues and (2) identify and evaluate any patterns of student safety concerns occurring on school property or at school-sponsored events. Solutions and responses will include recommendations for structural adjustments, changes in school safety procedures, and revisions to the school board's standards for student conduct.

Each school will maintain records of regular safety, health and fire inspections that have been conducted and certified by local health and fire departments. The frequency of such inspections will be determined by the local school board in consultation with the local health and fire departments. In addition, the school administration will:

1. equip all exit doors with panic hardware as required by the Uniform Statewide Building Code (13 VAC 5-61-10 et seq.); and
2. conduct fire drills at least once a week during the first month of school and at least once each month for the remainder of the school term. No fire drills will be conducted during periods

of mandatory testing required by the Board of Education. Evacuation routes for students shall be posted in each room. At least one simulated lockdown and crisis emergency evacuation activity should be conducted early in the school year.

Each school will have contingency plans for emergencies that include staff certified in cardiopulmonary resuscitation (CPR), the Heimlich maneuver, and emergency first aid.

In addition, the school administration will ensure that the school has:

1. written procedures to follow in emergencies such as fire, injury, illness, and violent or threatening behavior. The plan will be outlined in the student handbook and discussed with staff and students during the first week of each school year;
2. space for the proper care of students who become ill; and
3. a written procedure for responding to violent, disruptive or illegal activities by students on school property or during a school sponsored activity; and
4. written procedures to follow for the safe evacuation of persons with special physical, medical, or language needs who may need assistance to exit a facility.

Adopted: December 5, 1991.

Revisions Approved: February 3, 1994.
September 5, 1996.
July 8, 1997.
February 25, 1999.
June 24, 1999.
April 27, 2000.
July 12, 2001.
June 28, 2002.
July 10, 2003.
June 23, 2004.
July 6, 2006.
July 26, 2007.
June 9, 2009.

Legal Refs: Code of Virginia, 1950, as amended, §§ 2.2-3705.2, 22.1-279.8.
Acts 2006, c. 164.
8 VAC 20-131-260.

Cross Refs.: CLA Reporting Acts of Violence and Substance Abuse
EBAA Reporting of Hazards
EBBA First Aid/CPR Certified Personnel
EBCB Fire Drills
GBEB Staff Weapons in School
JFC Student Conduct
JFC-R Standards of Student Conduct
JFCD Weapons in School
JFCE Gang Activity or Association
JHH Suicide Prevention
KK School Visitors

BUILDINGS AND GROUNDS INSPECTION

The School Board is responsible for the maintenance of the property of the school division. In order to fulfill this responsibility, the School Board will cause the schools to be inspected at reasonably frequent intervals. Inspections required by law will be performed as required by law.

The results of inspections will be reported to the School Board.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-1165, 22.1-79(3).

8 VAC 20-131-260.

REPORTING OF HAZARDS

Any employee who discovers a dangerous condition should report the condition immediately to his or her supervisor, the superintendent, or his/her designee.

The superintendent shall name a designee to evaluate and label toxicity of all art materials used in the division in accordance with criteria established by the Virginia Department of Education. All materials which meet the criteria as toxic shall be so labeled. Such materials will not be used in kindergarten through grade 5.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-274.1

8 VAC 20-530-10 et seq

POSSIBLE EXPOSURE TO VIRAL INFECTIONS

Upon notification by a school employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the superintendent shall contact the local health director who, upon immediate investigation of the incident, shall determine if a potentially-harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure.

The superintendent shall share these recommendations with the school employee.

The superintendent and the school employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in section 32.1-35 et seq. of the Code of Virginia.

Whenever any School Board employee is directly exposed to body fluids of any person in a manner which may, according to the current guidelines of the Centers for Disease Control, transmit human immunodeficiency virus or hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the School Board employee who was exposed. In other than emergency situations, it shall be the responsibility of the School Board employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

If the person whose blood specimen is sought for testing is a minor, and that minor refuses to provide such specimen, consent for obtaining such specimen shall be obtained from the parent, guardian, or person standing in loco parentis of such minor prior to initiating such testing. If the parent or guardian or person standing in loco parentis withholds such consent, or is not reasonably available, the person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided or, in the case of a nonresident, the county or city where the school board has its principal office, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

Whenever any person is directly exposed to the body fluids of a School Board employee in a manner that may, according to the then current guidelines of the Centers for Disease Control, transmit human immunodeficiency virus or hepatitis B or C viruses, the School Board employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. The School Board employee shall also be deemed to have consented to the release of such test results to the person.

Except if the person to be tested is a minor, if the person whose blood specimen is sought for testing refuses to provide such specimen, any person potentially exposed to the human immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the county or city where the School Board has its principal office, for an order requiring the person to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his/her designee prior to entering any testing order. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Adopted: July 8, 1997.

Revisions Approved: July 10, 2003.

July 3, 2008.

Legal Ref.: Code of Virginia, 1950 as amended, §§ 22.1-271.3, 32.1-45.1

Cross Refs.:	EBBB	Personnel Training - Viral Infections
	GBE	Staff Health
	JHCC	Communicable Diseases
	JHCCA	Blood-Borne Contagious or Infectious Diseases

FIRST AID/CPR CERTIFIED PERSONNEL

In school buildings with an instructional and administrative staff of ten or more, there shall be at least two employees who have current certification in cardiopulmonary resuscitation or have received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. If one or more students diagnosed as having diabetes attend such school, there shall be at least two employees who have been trained in the administration of insulin and glucagon.

In school buildings with an instructional and administrative staff of fewer than ten, there shall be at least one employee who has current certification in cardiopulmonary resuscitation or has received training, within the last two years, in emergency first aid and cardiopulmonary resuscitation. If one or more students diagnosed as having diabetes attend such school, there shall be at least one employee who has been trained in the administration of insulin and glucagon.

When a registered nurse, nurse practitioner, physician or physician assistant is present, no employee who is not a registered nurse, nurse practitioner, physician or physician assistant shall assist with the administration of insulin or administer glucagon. Prescriber authorization and parental consent shall be obtained for any employee who is not a registered nurse, nurse practitioner, physician or physician assistant to assist with the administration of insulin and administer glucagon.

Adopted: December 5, 1991.

Revisions Approved: February 3, 1994.

June 23, 1994.

September 5, 1996.

June 30, 1998.

June 28, 2002.

June 23, 2004.

March 24, 2009.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-253.13:2.O., 22.1-274

Cross Ref.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan

PERSONNEL TRAINING - VIRAL INFECTIONS

All school personnel having direct contact with students shall receive appropriate training in the etiology, prevention, transmission modes and effects of blood-borne pathogens, specifically hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia Occupational Safety and Health Program.

Adopted: July 8, 1997.

Legal Ref.: Code of Virginia, § 22.1-271.3

Cross Refs.:	EBAB	Reporting of Possible Exposure to Viral Infections
	JHCC	Communicable Diseases
	JHCCA	Blood-borne Contagious or Infectious Diseases

FIRE DRILLS

In every public school in Virginia, there will be a fire drill at least once every week during the first twenty school days of each session and more often if necessary, in order that pupils may be thoroughly practiced in such drills. During the remainder of the school sessions, fire drills shall be held at least monthly. No fire drills will be conducted during periods of mandatory testing required by the Board of Education.

Adopted: December 5, 1991.

Revisions Approved: June 24, 1993.

September 5, 1996

July 6, 2006.

Legal Ref.: Code of Virginia, § 22.1-137.

Acts 2006, c. 164.

TORNADO DRILLS

In every public school in Virginia, there will be at least one tornado drill every school year, in order that pupils may be thoroughly practiced in such drills.

Adopted: July 13, 2001.

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-137.1

SCHOOL CLOSINGS

The superintendent or his/her designee may order the closing, the delay in opening or the early dismissal of any or all schools in order to protect the safety and welfare of the students and staff.

Unless employees are notified that their work schedule is changed because of adverse weather or emergency conditions, it is expected that all employees will work according to the terms of their contract and division policy.

During adverse weather or emergency conditions, however, employees will follow guidelines related to work schedules. The guidelines may be reviewed by the School Board.

Adopted: December 5, 1991.

Revisions Approved: February 3, 1994.

June 23, 1994.

August 24, 1995.

September 5, 1996.

June 9, 2009.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-98

Cross Refs.: GAA Staff Time Schedules

BUILDINGS AND GROUNDS MANAGEMENT AND MAINTENANCE

The superintendent will have the general responsibility for the care, custody, and safekeeping of all school property. The principal of each school will be responsible for the operation, supervision, care, and maintenance of the school plant.

The school division shall maintain documentation of any pesticide application that includes the target pest, the formulation applied, and the specific location of the application.

Adopted: December 5, 1991.

Revisions Approved: February 3, 1994.

June 23, 1994.

September 5, 1996.

June 9, 2009.

June 8, 2010.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-79(3), 22.1-132.2, 22.1-293.D.

Cross Refs.:	CF	School Building Administration
	EA	Support Services
	EBA	Buildings and Grounds Inspection
	FE	Playground Equipment
	IIBEA-R/GAB-R	Acceptable Computer System Use
	KF	Distribution of Information/Materials
	KG	Community Use of School Facilities
	KGB	Public Conduct on School Property
	KGC	Tobacco Use on School Premises
	KJ	Advertising in the Schools
	KL	Public Complaints
	KQ	Commercial, Promotional, and Corporate Sponsorships and Partnerships

INVENTORY AND REPORTING OF LOSS OR DAMAGE

I. Inventories

The Superintendent shall devise an adequate system of inventory of school property. Such inventory shall be available to identify items for the purpose of insurance and to control the loss of property.

The inventory shall include, but not be limited to the following: buildings, movable equipment, vehicles, and all other items of significant value. Each school shall keep a complete inventory of all equipment, listing make, source, date of purchase, model, serial number, and other identifying data.

II. Reporting Losses

All loss of or damage to school property shall be promptly reported to the Superintendent.

Adopted: November, 1998.

Revisions: June 9, 2009.

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

Cross Refs.: ECAB Vandalism
EI Insurance Management
JFC-R Standards of Student Conduct

VANDALISM

The School Board urges staff, students and the public to cooperate in the reduction of vandalism by reporting incidents of vandalism and the name of any person(s) believed to be responsible.

The School Board may institute action and recover from the parents or either of them of any minor living with such parents or either of them up to \$2500 for damages suffered by reason of the willful or malicious destruction of, or damage to, public property by such minor.

In addition, a student who damages or destroys public property will be subject to whatever disciplinary action is deemed necessary and advisable by the school principal.

Adopted: December 5, 1991.

Revisions Approved: July 7, 1994.

September 5, 1996.

April 9, 2002.

June 23, 2004.

July 3, 2008.

June 9, 2009.

Legal Ref.: Code of Virginia, 1950, as amended, §§ 8.01-43, 22.1-78, 22.1-253.13:7.C.3.

Cross Ref.: ECA Inventory and Reporting of Loss or Damage
JFC-R Standards of Student Conduct

BOMB THREATS

I. Purpose

To establish procedures for handling bomb threats.

II. Procedures

The following procedures shall be followed whenever a telephoned bomb threat is received at a Radford City Public School.

WARNING: Because detonating devices are activated by radio waves, use of two-way radios should be avoided within 300 feet of the building or suspected location of the explosive device.

A. Person receiving the call:

1. Have someone else also listen to the call if possible.
2. Take notes for the police investigation. Record caller's exact words.
3. Attempt to determine the caller's gender, accent or other distinguishing speech characteristics.
4. Listen for background noises that may help in identifying the location of the caller.
5. Ask caller for the following information:
 - a. Time of detonation.
 - b. Location of the explosive device.
 - c. Type of explosive device.
 - d. Physical appearance of the device.
 - e. Reason device was placed at the school.
 - f. Caller's name.
6. If your phone is direct service, attempt to identify the number from which the person is calling by the following procedure when the caller hangs up (this procedure will not work on some telephone systems):
 - a. Hang up. Immediately pick up the same phone and push the * (star) button followed by the numbers 5 and 7, and then hang up the phone. This will flag the calling number of the telephone exchange. Note the exact time this is done. The police will retrieve the information later.

b. When police arrive, inform the investigating police officer that you completed the above procedure and give him or her the number of the phone you received the call on and the time you performed the procedure.

7. Notify the principal or designee, the police department on 911, the area office and school security of the threat.

B. Principal or Designee

1. Ensure proper notifications are made.
2. Decide if the building will be evacuated. This decision should be made based on all available information. The police will offer guidance, but the decision is the responsibility of the school official.
3. If evacuation is necessary, conduct evacuation using fire drill procedures: any requirements for prior notification to school security may be omitted. Students should be evacuated to a location at least 300 feet from the building.
4. If events warrant, request a building search. The search should be supervised by police, but school personnel should provide any assistance requested.

Adopted: February 25, 1999.

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

To ensure the security of school property, the superintendent shall develop regulations governing the use of all school owned property. The regulation shall address the use of school division facilities, supplies, materials, equipment by employees and outside organizations.

Employees are prohibited from utilizing school property for personal use or gain.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 9, 2009.

Legal Ref.: Code of Virginia, §§ 22.1-70, 22.1-131, 22.1-132

Cross Refs.: DN Disposal of Surplus Items
 GBEC/JFCH Tobacco-Free School for Staff and Students
 IIBEA/GAB Acceptable Computer System Use
 KF Distribution of Information/Materials
 KG Community Use of School Facilities
 KGA Sales and Solicitations in Schools
 KGC Tobacco Use on School Premises

STUDENT TRANSPORTATION SERVICES

The School Board may provide for the transportation of students. All conditions regarding the transportation of students stipulated by the Code of Virginia, regulations of the Virginia Board of Education, and policies and regulations of the School Board shall be met. Students may be suspended from using school transportation services for violations of the Student Code of Conduct or when the student endangers the health, safety and welfare of other riders. In such cases the parent or guardian shall be responsible for transporting the student to school.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Ref.: Code of Virginia, §§ 22.1-78, 22.1-176, 22.1-221, 22.1-254.

Cross Ref.:	EEAC	School Bus Safety Program
	IICA	Field Trips
	JCA	Transfer Requests by Student Victims of Crime
	JCC	School Choice for Students Enrolled in Schools Identified for Improvement
	JEC-R	School Admission
	JECA	Admission of Homeless Children
	JECB (Opt. 1)	Admission of Nonpublic Students for Part-Time Enrollment
	JEG (Options 1 & 2)	Exclusions and Exemptions from School Attendance
	JFCC	Student Conduct on School Buses
	JFC-R	Standards of Student Conduct
	LC-E	Charter School Application

SCHOOL BUS SCHEDULING AND ROUTING

School bus routes shall be reviewed at least once each year for safety hazards, fuel conservation, and to assure maximum use of buses. School administrators shall evaluate the safety of pupils at bus stops periodically and shall, at the request of the school board, report the results annually to the school board.

A written vehicular and pedestrian traffic control plan for each school shall be reviewed annually for safety hazards. All new school site plans shall include provisions that promote vehicular and pedestrian safety.

Adopted: December 5, 1991.

Revisions Approved: February 3, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

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

8 VAC 20-70-160

Cross Refs.: EB School Crisis, Emergency Management, and Medical Emergency Response Plan

SCHOOL BUS SAFETY PROGRAM

All buses and other vehicles owned and operated by the school division will be inspected for safety in accordance with the regulations prescribed by the Department of Education.

All accidents, regardless of the amount of damage involved, must be reported to the transportation supervisor.

No person shall use any wireless telecommunications device, whether handheld or otherwise, while driving a school bus, except in case of an emergency, or when the vehicle is lawfully parked and for the purposes of dispatching. Nothing in this section shall be construed to prohibit the use of two-way radio devices authorized by the owner of the school bus.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

July 3, 2008.

June 9, 2009.

Legal Refs.: Code of Virginia, 1950, as amended, § 46.2-919.1.

8 VAC 20-70-130.

8 VAC 20-70-140.

SPECIAL USE OF SCHOOL BUSES

The use of school buses for purposes other than transporting children to and from school for the regular school hours and for extracurricular activities is permitted with prior approval of the superintendent and in accordance with regulations pertaining to field trips.

In addition, the School Board may enter into agreements with its appropriating body, or any state agency or any federal agency established or identified pursuant 42 U.S.C. § 3001 et seq. providing for the use of the school buses of the division by such body or agency for public purposes, including transportation for the elderly. Each such agreement shall provide for reimbursing the school board in full for the proportionate share of any and all costs, both fixed and variable, of such buses incurred by such school board attributable to the use of such buses pursuant to such agreement. The appropriating body, or state or federal agency, shall indemnify and hold harmless the school board from any and all liability of the school board by virtue of use of such buses pursuant to an agreement.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-176, 22.1-182.

Cross Ref.: IICA - Field Trips

FOOD SERVICE MANAGEMENT

The superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the superintendent shall report to the School Board on the financial status of the division's food service operations.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Refs.: 42 U.S.C. § 1751 et seq

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

8 VAC 20-290-10

Cross Refs.: DGC School Activity Funds
 GAA Staff Time Schedules
 GBE Staff Health

FREE AND REDUCED PRICE FOOD SERVICES

The Radford City school division will provide free and reduced-price breakfasts, lunches, and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program, and the Special Milk Program.

School officials will determine student eligibility based on guidelines established by federal law. Eligible students will be provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee will establish rules and procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals and milk will be publicly announced at the beginning of each school year and provided to parents of all children in attendance at Radford City Public Schools.

The students who participate in the free or reduced-cost meals and milk programs will not be overtly identified, distinguished, or served differently than other students.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

June 9, 2009.

Legal Refs.: 42 U.S.C. §§ 1751 et seq., 1771 et seq.

7 C.F.R. §§ 210.9, 220.20, 245.5, 245.8.

Code of Virginia, 1950, as amended, § 22.1-207.3.

8 VAC 20-290-10

FOOD SANITATION PROGRAM

The personnel and the facilities used for food services in the school division are subject to state laws regulating restaurants and other food establishments. School dining facilities are also governed by regulations promulgated by the State Board of Health.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

April 2, 2007.

June 9, 2009.

Legal Ref.: Code of Virginia, 1950, as amended, § 35.1-1.

12 VAC 5-421-10 et seq.

REPRODUCTION OF COPYRIGHTED MATERIALS

The reproduction and use of copyrighted materials, including computer software, electronic materials, video tapes, compact discs, laser discs and other non-print materials, are controlled by federal law. In general, copyright owners have the exclusive right to use, reproduce, and modify their materials. Federal law does provide limited exceptions to this general rule which permit the reproduction and use of copyrighted materials in some circumstances. The superintendent is responsible for promoting an understanding of the applicable law among staff members and students.

The division encourages its staff and students to enrich the educational experience by making proper use of supplementary materials. However, each staff member and student is responsible for complying with copyright law and with any regulations or procedures developed by the Superintendent. Any employee or student who is uncertain as to whether reproducing or using copyrighted materials complies with the division procedures or is permissible under law should contact the school librarian who will provide clarification and assist staff members and students in obtaining proper authorization to copy or use protected material when such authorization is required.

At no time will it be necessary for a staff member to violate copyright laws in order to properly perform his or her duties. At no time will it be necessary for a student to violate copyright laws in order to complete any assigned work. For staff members, violation of copyright laws or division requirements may result in discipline up to and including termination of employment. For students, violation of copyright laws or division requirements may result in discipline up to and including suspension or expulsion.

Adopted: December 5, 1991.

Revisions Approved: June 24, 1993.

September 5, 1996.

July 3, 2008.

Legal Refs: 17 U.S.C § 101 et seq.

Cross Ref:	JFC-R	Standards of Student Conduct
	GAB/IIBEA	Acceptable Computer System Use
	GCPD	Professional Staff Members: Contract Status and Discipline
	GDPD	Support Staff Members: Contract Status and Discipline

REPRODUCTION OF COPYRIGHTED MATERIALS

INTERPRETATION FOR EDUCATORS IN RADFORD CITY SCHOOLS

Introduction

Teachers and administrators in Radford City Schools desire to provide students with access to quality materials at the lowest cost possible. The copyright law does provide fair use limits for educators who need to use copyrighted works. This document represents the interpretation of the Copyright Law for Radford City Schools (classified as nonprofit educational institutions). The best option is to plan in advance and to receive written permission from publishers to use copyrighted material. In seeking such permission the request should include:

1. title, author(s) or editor(s), edition number
2. exact amount (pages) of material to be used, preferably including a photocopy of the material involved
3. number of copies to be made
4. description of how material will be used, for what purpose and/or course and frequency of use if for more than one occasion
5. type of duplication (photocopy, ditto, etc.)

Photocopying

Single Copy:

Teachers preparing to teach a class may make or request to have made a single copy of:

- a book chapter
- an article from a newspaper or periodical
- a short story, essay, or short poem
- a chart, graph, diagram, cartoon, drawing, or picture from book, periodical, or newspaper

Multiple Copies:

Teachers desiring to duplicate a copy of a work for each student must:

- include a notice of copyright with each copy and meet these three tests:
 1. Brevity Test: For poetry; a copy of a poem if less than 250 words and if printed on no more than two pages or, no more than 250 words if from a longer poem.

For prose; any complete story, essay or article under 2,500 words or excerpts of not more than 1,000 words or 10% of the work; for special, shorter works, so designated because they contain illustrations (eg. children's stories) may not be copied in their entirety even though they contain less than 2,500 words. Educators may not copy more than two published pages containing no more than 10% of the text.

For illustrations; no more than one chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.

2. Spontaneity Test: "Inspiration and decision to use the work" must occur so soon prior to classroom use that it would not be feasible for the teacher to write for and receive permission to duplicate the material. The teacher must request the copying and not as directed by an administrator.
2. Cumulative Effect Test: Copies of the material must be for only one course in the school in which copies are made.

No more than one short poem, article, story, essay or two excerpts may be copied from the same author.

No more than three copies from the same collective work or periodical during one class term.

There must not be more than nine instances of such multiple copying for one course during one class term.

Prohibited Copying

Some uses are prohibited regardless of the otherwise permissible copying:

- Educators may not create through photocopying their own anthologies, compilations or collective works whether brought together in one collection or reproduced and used separately.

- Copying must not substitute for the purchase of books, periodicals, or reprints. This especially applies to the duplication of "consumable" materials such as workbooks, test booklets and standardized tests which may not be duplicated.
- The teacher must not duplicate the same item from one term to another.

Music

(See also: Audio Visual Materials - Audio Disc, Cassettes, Tape Recordings)

Permissible Copying

- Educators are permitted to make copies of music in an emergency defined as "replace purchased copies" which for any reason are not available for an imminent performance "as long as replacement copies are purchased later".
- For academic purposes other than performances, a teacher or researcher may duplicate a single copy of an "entire performable unit (section, movement, aria, etc.)" if that unit is unavailable except in a larger work and if it is out-of-print, as confirmed by the copyright proprietor. For other nonperformance educational purposes, multiple copies of no more than 10% of the whole work may be made as long as the excerpt does not comprise a performable unit. This multiple copying should not exceed one copy per student.
- Printed copies of purchased music may be edited or simplified except alterations or addition of lyrics.
- A single copy of a sound recording of copyrighted music may be made for use in "constructing aural exercises or examinations". This applies to the copyright of the music itself and not to any copyright that may exist in the sound recording.
- A single copy of a recording of performance(s) by students is permissible for nevaluation or rehearsal purpose and may be retained by the teacher or educational institution.

Prohibited Copying

- "To create or replace or substitute for anthologies, compilations or collective works."
- Copying from works intended to be "consumable" such as workbooks, exercises, standardized tests and answer sheets.
- For performance except as above.

Photocopying by Library Media Staff

Copying is to take place only at the specific request of users or other libraries.

Under Section 108 of the Copyrights Act, library employees are permitted to make a single copy of a work as long as the library receives no financial gain and affixes notice of copyright on all duplicated works.

In addition to the above requirements, the library media center may make copies only under the following conditions:

- It may duplicate in facsimile form a published, copyrighted work that is damaged, deteriorating, lost or stolen if a reasonable effort determines no possibility for replacement.
- Recordings are to be shown to students no more than twice during the 10-day period . the second time for instructional reinforcement only.
- After the 10-day period the recordings may be viewed only by teachers.
- If several teachers request videotaping of the same program, duplicate copies are permitted. (All copies are subject to the same restrictions as the original).
- Off-air recordings may not be physically or electronically altered or combined with others to form anthologies, but do not have to be shown in their entirety.
- All copies of the recordings must include the copyright notice on the broadcast program as recorded.
- Schools may not build library collections of videotapes of television programs.

From Public Broadcasting Services

Four public broadcasting services drew up a joint policy statement that allows schools specific videotaping privileges for their production: Public Broadcasting Service, Public Television Library, Great Plains National Instructional Television Library, Agency for Instructional Television. Educators may record broadcasts from these agencies on the following conditions:

- Recordings may be made only by students, faculty or staff members in accredited, nonprofit education institutions.
- May be used only for instruction or educationally related activities in a classroom, laboratory, or auditorium.
- May be used only in the school for which they were made.

- The recordings may be used "only during the seven-day period of local ETV and other educational broadcast licensed by the distribution agency, and will be erased or destroyed immediately at the end of the period..."
- All requests for taping must come directly from teachers and must be shown only to students and faculty for instructional purposes.

Television Broadcasts Taped by Teachers

- At this time there is no specific court ruling or legislation directly addressing this particular activity. The 1984 U.S. Supreme Court Sony decision affirmed the right of individuals to use videocassette recordings in their homes. This right was upheld primarily on the basis of "private, noncommercial time-shifting in the home." The majority did not address the use of privately-taped programs for public performances or for educational purposes.

Videocassette Programs Rented, Purchased or Taped at Home by Teachers

- Programs must relate to specific objectives in the classroom program of studies and/or SOL's.
- Programs may not be used for recreational or entertainment purposes.
- Programs purchased by the school or teacher and marked "For Home Use Only" may be used in the classroom if directly related to the instructional goals.
- Programs rented by the teacher and marked "For Home Use Only" may not be used in the classroom unless the merchant provides a written and signed release form giving permission for classroom use.
- Teachers may not tape a program at home from either a broadcast or cable transmission for use in the classroom. Refer to the two sections above for allowable taping from commercial and cable transmission.
- Use of programs from direct broadcast must be approved by the principal, division level curriculum specialists or department chairperson.

Penalties for Infringement of Copyright

- Educators, education institutions, and school divisions may be sued if they violate or infringe the rights of copyright.

- The legal or insurance protection of Radford City Schools will not be extended to employees who knowingly violate copyright laws.
- The copyright law specifies a normal penalty of from \$250 to \$10,000 in statutory damages for each violation, but the penalty can be as much as \$100,000 for a willful violation. Even if a defendant is judged not to be in violation of the law, court costs and attorneys' fees must be borne by the individual and/or organization charged with the copyright infringement.
- Educators should be aware that criminal charges of copyright violation can be brought. Those found guilty of "willfully infringing a copyright for private or commercial financial gain, could be fined up to \$100,000 or imprisoned for up to one year or both."

Issued: December 5, 1991.

Revisions Approved: June 24, 1993.

September 5, 1996.

INSURANCE MANAGEMENT

The School Board shall maintain such insurance on school property, including vehicles, as it deems necessary or as is required by law. The Board may provide liability insurance, or may provide self-insurance, for certain or all of its officers and employees and for student teachers and other persons performing functions or services for any school in the school division, regardless of whether payment is made for such functions or services. If liability insurance is provided, such insurance shall be placed with insurance companies authorized to do business in Virginia.

Adopted: December 5, 1991.

Revisions Approved: June 23, 1994.

September 5, 1996.

June 28, 2002.

May 27, 2004.

Legal Refs.: Code of Virginia, §§ 22.1-84; 22.1-188 through 22.1-198

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EDUCATIONAL TECHNOLOGY FOUNDATIONS AND PUBLIC SCHOOL FOUNDATIONS

The School Board may establish an educational technology foundation for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in the division. The School Board shall also establish a public school foundation for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the School Board. Such foundations may be established directly by the School Board or by the School Board and other organizations or persons, on behalf of the School Board by a third party, or through a contract with a corporation as defined by Va. Code § 2.2-212.2:2. The foundations may be established as a cooperative regional effort with other School Boards.

I. Requirements

Upon establishing or contracting with a corporation, whether or not other organizations, School Boards or persons are involved, the School Board shall:

- (1) Review and approve the articles of incorporation and bylaws;
- (2) Establish a system of accounting to protect public funds;
- (3) Establish agreement that, upon dissolution of the corporation, any assets remaining after payment of just debts shall be transferred to and become the property of the School Board or, if a regional effort, the procedure by which the property may be divided among the School Boards;
- (4) Require, in any instance in which the School Board advances, contributes or loans funds to the corporation, that such contract shall provide for the posting of a bond with surety by the officers of the corporation conditioned to protect the rights of the School Board;
- (5) Establish terms for the allocation of any profits or revenues between the School Board and the corporation; and
- (6) Take such other steps as may be necessary to comply with applicable law.

II. Funding

The School Board may (i) advance, contribute or loan funds to such foundations, and (ii) establish an escrow fund for the purpose of funding various educational technology projects.

III. Procurement

In making purchases through its public school foundation or purchasing educational technology through its educational technology foundation, the School Board shall be exempt from the Virginia Public Procurement Act, except, relative to such purchases, the School Board shall comply with the provisions of sections 2.2-4311 and 2.2-4367 through 2.2-4377 of the Act.

Adopted: July 10, 2003.

Revisions Approved: May 27, 2004.

June 9, 2009.

Legal Ref.: Code of Virginia, §§ 2.2-4311, 2.2-4343, 2.2-4367 through 2.2-4377, 22.1-212.2:2