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Loudoun County School Board, Student Services Committee Meeting, Thursday, October 19, 2023

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- Official meeting video (Vimeo / LCPS-TV): <https://player.vimeo.com/video/876358858?rel=0>
- BoardDocs (School Board): <https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public>

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[00:00:00] Good evening I call to order the Student Services Committee October 19 2023 I'm Harris Medley I'm the chair of the committee and I'm joined by Ms. Ogadugbe as Ms. Sharon shared with us last at the last committee meeting she won't be able to join us tonight so we'll get started we have been notified we have about six public comments so we'll get we'll give about two minutes for each each person to provide the comments I'll begin with Ms.

[00:00:33] Murray you have two minutes as a parent of a student and student and his football teammates that have been adversely impacted with complete

[00:01:12] disregard to their rights to privacy by LCPS administrators and the athletic program strict adherence to policy 8040 this fall in athletic locker rooms I am I'm here to ask you to do everything in your power to ensure that LCPS is in full compliance with VDOE model policies adopted in July of 2023.

[00:01:38] 80-40 policy states all students. My son and his teammates fall under the category of all. You cannot compromise, disregard, and supersede their rights for the sake of protecting a select group. The LCPS's attempt to prevent bullying in this school system has, in fact, is bullying students.

[00:02:02] Policy 8040 states safe. Changing in front of someone of the opposite biological sex is never safe in a school setting, not ever. 8040 policy states comfortably. My son and his football teammates were

never afforded comfortably this athletic season.

[00:02:22] They were stressed about dressing out for games and practices and getting in and out of the locker room without having to change in front of a biological girl in their locker room. They were fearful of retaliation and retribution if they spoke out about being uncomfortable.

[00:02:39] 80-40 policy states fully engaged in their school activity, providing an alternate space for those who are not comfortable changing in front of someone of the opposite sex does not allow students to fully engage in their team dynamics and actually singles them out, isolates and harasses them for their sincerely held belief that they should not be changing in front of someone of the opposite sex.

[00:03:02] Virginia Department of Education new model policy states that locker rooms and school districts in Virginia are to be designated biological sex only. You are not complying. Thank you, Ms. Murray. Next speaker is Michael Rivera. Rivera, you have two minutes.

[00:03:26] My comments are with regard to item 5.02, the review of the model policies. I'll remind everybody, this is a factual statement. In approximately July 2021, this school board adopted Governor Northern's model policies with zeal and stood up to attention without even blinking an eye.

[00:03:46] I could call it speculation, but it is accurate to say that that was because it was a Democratic governor and a Democratic school board. Now we have new model policies from a Republican governor, and this school board refuses to acknowledge their lawfulness and the fact that they have already been vetted through local, state, and federal existing laws and are valid and need to be implemented.

[00:04:13] Shortly after the model policies were implemented in 2021, policy 8040 was put into place and stripped the rights of large swaths of students and their parents for the sake of a population that is still to be defined in terms of numbers.

[00:04:31] The number keeps changing, the definitions keep changing. So we try and the school board talked about making evidence-based decisions, and there's no evidence for a lot of these decisions except partisan political ideologies. So I urge this board to adopt the new VDOE model policies with the zeal and the enthusiasm that they adopted Governor Northam's model policies and stop playing games.

[00:05:00] Thank you. Thank you. Ms. Suzanne Satterfield.

[00:05:23] LCPS notes that policies 8040 and 8040 reg were formed under the Code of Virginia 22.1-23.3, consistent with 2021 VDOE's publication of model policies. The Board took it a step further and shut parents out that were not aware of their child questioning their born sex.

[00:05:43] They put teachers, counselors, and other staff that have no medical or mental health degrees to take on the role of doctor and caregiver of these students. This is not only a burden on staff, but builds a wedge between parents and their children and forces a child to live a dual identity.

[00:05:59] All of these things negatively impact the mental health of all parties involved. In addition, these policies state that all children should be treated with dignity and respect, which LCPS has greatly failed at, because girls that are fearful and traumatized with boys in their restrooms and locker rooms are ignored and told, "That's just rhetoric."

[00:06:18] When will you really start to protect all students, including females and special ed students? When will you stop shutting out parents and putting staff in compromising positions and change to the new model policies which are under the same Virginia code?

[00:06:33] When will you realize the longer you delay, the door stays open for more lawsuits? When will you realize that adults that teach children to lie to their parents can put the child in harm's way? Will you be there when the cards fall and the child realizes that you failed them?

[00:06:51] Thank you. The next speaker is Ms. Platt. Two years ago, there was an awful lot of conversation and discussion about the model policies.

[00:07:09] We were told that the model policy had to be passed, that it was the law. Now there's a new model policy. It was adopted in July. Two years ago, we were told it was mandatory, but for some reason, it's not mandatory now. Was it imperative then? And if so, why is it not now?

[00:07:28] The Attorney General's Office reviewed the model policy and issued a written statement indicating that the policies comply with both state and federal law. This should go to the full board for discussion and for immediate consideration. Given the timing of this meeting, we all know that this will not come back for consideration before the election.

[00:07:50] You're guaranteeing that the public does not have a chance to review it or discuss it before both of your names are on the ballot. If this is legal and has been signed off by lawyers, why stall? Why slow walk if for no other reason than to avoid the politics?

[00:08:06] I'm asking you to protect my daughter and to no longer put her in a compromising position where a boy is in her locker room. She is forced to change or separate herself from her team. I'm asking you to protect my daughter and other girls in the locker room that are being put in a really crappy position. Thank you. Thank you. The next speaker is Ms. Weisskopf. Youngkin's

[00:08:41] model policies are not centered around the needs of children. They are instead centered around parents' rights. Parents' rights is a euphemism for the empowering of an ultra-conservative minority to shape public education in their image. This board and division did not speak against Youngkin's demands that are now codified as policy 5055 and its like. Your refusal to stand for public education has brought us here on the verge of erasing the identities of marginalized children.

[00:09:21] stand up, and stand for public education. Youngkin's policies may yet be forced upon us, but don't make it easy. You know the best part of being blacklisted is that you no longer have to fear being blacklisted.

[00:09:38] Black Lives Matter. Thank you. And our last speaker is Mr. Gardy. Thank you so much. It's good to see you guys. So as a former Division I volleyball player and an athlete, a coach of women's volleyball, as well as now a certified referee.

[00:10:02] I want you all to really seriously consider the absolute need for us to get back to the, and redesign the 80/40 policy and make sure that we're really in line with the governor's policy. I've spent a lot of time really thinking about this.

[00:10:17] Working with girls and our youth, not just here in this area, but across the East Coast, it is really important that girls have their private spaces. They make up the majority of the student body LCPS and they need to be respected. Not in a single conversation yet have I heard anyone say anything about needing to protect our girls. Not from anybody running on the school board and it's something that we've really got to take seriously. There has got to be an opportunity for our girls in our education system to be

able to have safe spaces. We've had this conversation at the mosques with the young women there. We've had conversations with our Latino

[00:10:56] community. I'm from Sterling, and this is a really serious concern. I'm very concerned, especially in the Sterling community, with the issues of safety in our schools already, and by not creating these safe environments for both our boys and our girls in schools, we're really putting a lot of students at risk. We have accommodations already for students who don't want to use their gender-specific restroom or facility, and we need to honor that. So I'd really like to encourage you all to not only take action on this quickly but do so so that we can see how you know how

[00:11:29] transparent the board really be on this policy thank you so much thank you move to the next item on the agenda it's approval of the meeting minutes do I have a motion yes I move that the minutes from the September 21st 2023 minutes be adopted I'll second that any further questions comments all those in favor raise your hand say aye aye the motion passes with the board member

[00:12:03] present and Miss Sheridan absent we'll move to the next item action items we have the first one it's policy 80 to 50 bullying prevention and education by passing to miss Ross or good evening thank you yes mrs. Ross is unable to be here with us this evening policy 80 to 50 bullying prevention and education was presented to the committee on September 21st it was noted at that time that

[00:12:37] There was a change to section D, line 65 of the policies, which is in your packet, change to 24 hours notification to parent or legal guardian upon learning of a bullying allegation to align with Senate Bill 1072 and House Bill 1592.

[00:13:01] The community feedback came from SEAC and MSAC, and there was additional community feedback recommended that we review incidences of bullying at a higher frequency and I do believe board members are in receipt of feedback from SIAC and MSAC that came in on October 4th thank you I I would be interested in just feedback from staff on the feedback that we received in terms of you know sometimes there are

[00:13:38] reasons why we can't incorporate feedback so if we could take some time to step through some of that that would be helpful for me certainly with the feedback from SEAC to add expanded language for the safeguards of students with disabilities we already have other policies that would initiate that action anyway so that's why it wasn't included the feedback from in sac suggested that we further expand the language to capture not just student to student bullying but adult to student bullying and again we have other school board

[00:14:13] policies that guide the professional conduct of employees okay and I think the final bullet and we've had some discussion I think on other policies with regard to monitoring and reporting around the frequency of that reporting so I'd be interested if the other committee member here has any thoughts about that I I do think annually seems like a long time understanding sometimes When we think about trends, you do need a longer period of time, but we certainly also

[00:14:49] have year-over-year data that can be used as a comparative point in time, so I'd just be curious if we can have a discussion on that. Sure. I think the comment was on line number 78, I believe, and I don't know, I guess, Mr. Richardson, I do have, I think there was a feedback about having that data.

[00:15:10] I mean, one thing is analyze semi-annually, but I think from a reporting perspective, um reporting to the to the board um to reporting the board uh semi-annually as well and if you have any

thoughts about that no certainly um we are collecting the data as it is occurring so we do have access to the data so we can certainly adjust line 78 to reflect semi-annually so i'm assuming that you would like once in the first semester and then once in in in the second semester that's

[00:15:49] correct I mean that's sort of my my ask would be certainly staff can make that change okay the other comment I think was which is I think there's two of them I have actually the one that goes on page number actually the line number 32 I think which I think you reference a little bit on by a student or adult so this is again in the context of bullying so this is bullying in the context is that the bullying is happening to the student and it could be done by student

[00:16:27] to student or adult to student correct the reference okay because I think see I had some comments about that I believe I know MSAC did I'm sorry certainly yes I'm so miss Richardson you mentioned that the it's addressed in another policy but just for reference just for discussion purposes can you let us know where that is I'll have to look that up okay and the next item I have a thing

[00:17:03] which is also it's on line number 97 the policy should be prominently displayed on the divisions and individual school websites so yes I know we do it on board docs but I think individual school websites this policy I don't think we we put out policies on individual school websites most schools have a button at the bottom of their web page when you scroll down and if you click it it would take you to our bullying prevention education web page where you can then

[00:17:38] access the policy is there a different recommendation for line 97 yeah I think the minutes is I would rather have the policy if you click on it not like jump through it because if that's the case what we're asking is then I think they should have that bullying because I think bullying is something that we are working towards having zero tolerance and I think even the governor has made 24-hour notice so I would like to have the link where it goes directly to the policy and then you know parents or anybody looking for the policy doesn't have to jump around to do that I think that and that this will satisfy that

[00:18:14] particular thing those are the three things I had any further comments questions can we make them so it could be sent this to the full board with this amendments I'll make I'll make a motion that the committee approve the policy 8250 with the amendment amendment made and centered to the full board as an information item second any further comments questions no all those in favor raise your hand say aye aye to the policy 8250 consent to the full board

[00:18:53] with board members present and miss Sheridan absent for the vote we can move to policy 8290 threat assessment for the protection of schools I'm guessing Mr. Lodi you gonna take this one thank you mr. Mahedovey we're bringing back 8290 threat assessment for the protection of schools to remind you we're including language in recent house bill that signed into law about the requirement for threat assessment team training both initial training and refresher

[00:19:32] training every three years and we've incorporated that into our policy as written in law we did receive some feedback from SEAC regarding some recommendations around the policy I do think I can address these for your benefit SEAC had recommended the inclusion of other individuals on threat assessment teams who have knowledge of special education while our policy doesn't specify job titles in it in lines 10 11 and 12 in particular our threat assessment teams

[00:20:10] always have school counselors school psychologists and school social workers on those teams who are members who have knowledge of special education to include some of the other

recommendations from SEAC, which is training on functional behavior assessments, behavior intervention plans, PBIS, IEPs, and Section 504.

[00:20:35] So our current team structures and the individuals who serve on threat assessment teams do have knowledge of special education, but it would be -- it's understandable that SEAC wouldn't have necessarily interpreted that from the way our team structure is written in lines 10 11 and 12 outside of that I believe that's the only feedback we received

[00:21:03] Thank You mr. Lodi board members any comments thank you is is there any objection to making the recommended change in language from SEAC just to be more explicit and you know to the point of SEAC not knowing what the structure of the team is and they are very closely working with the school system certainly parents and others may not have that awareness either so is are there objections to including the suggested language and I'll just miss a

[00:21:38] loaded before you add again my hope was I think in the line 1112 where we talk about counseling instructions school administration law enforcement my you know thing I wrote down special education team where applicable so because I mean again they may not be involved in all students but if there are students who are special education then we just we you know those are included in that without specifying every role within that because we just in the school administration is abroad could include the deans of course mm-hmm so I don't

[00:22:17] know if you have any thoughts about that just to be more specific yeah I have a few the language you're reading on lines 10 11 and 12 come directly from state statute so the wording here is the wording we use for our policy it's worth mentioning we do have a regulation that accompanies this policy which provides a little bit more detail again SEAC wasn't asked to comment on our regulation they were focusing on the inclusion of additional language here I do have a little bit of heartburn including membership such as a special

[00:22:56] dean or a case manager on threat assessment teams one I don't envision wanting to pull special special education teachers out of classrooms to serve on threat assessment teams but I can assure you that when it comes to student specific concerns threat assessment teams will interview case managers to make sure they have an understanding of the individual's disability needs of course if special ed teacher or special ed Dean was a witness to the circumstance

[00:23:33] they would be interviewed and that information would be brought into the analysis prefer we not mention specific job titles because in all honesty even a threat assessment team has to remain fairly fluid it's very possible the school psychologist could be at another school that day school counselor might be doing classroom instruction so just having a little bit of flexibility would be helpful but what I can say is we do have individuals always on the team with knowledge of special education and as

[00:24:13] needed the ability to understand the students IEP where their specific needs I'm not adverse to the idea of special education being acknowledged, I just want to make sure we don't get too specific that it limits our ability to do what needs to be done.

[00:24:35] So Mr. Lodi, I think that's why I thought just having it broadly saying special education team and I want to use where or when or where I should say, I don't know when or where applicable, that gives sort of a broad option for the the team to decide who should be on it without actually having specific roles

because then you can make in you know where applicable but I I do think that when in threat assessment and I think you you've mentioned already that if if we have a student who is of

[00:25:13] special ed we do bring in the resources I think from at least from my point of view I think it just codifies that we do have somebody involved in the discussion and involved in that process and you know it doesn't drop out so that would be mask is to include special education team when yeah I think with the qualifier where needed as needed however that I think we could we could work with that so where needed another recommendation from staff that could be

[00:25:53] considered could we could possibly phrase it in in calls in consultation with special education staff if that would help so miss it wouldn't be applicable to all threat assessments yeah so that's why I think it's because here simply tells that the types of team that will be involved so I don't know if that because as long as you qualify I'm fine with that and I'm not saying that it has to be every time but if it's a special ed student I do want somebody I think it would make sense to have it thank you I think the question I would

[00:26:30] have about the language in consultation it sounds like they wouldn't necessarily be in the discussion for the threat assessment and what we're looking for is that if there's the perspective needed they should be in the room and participating in the full discussion rather than just consulted separately so I think that having the inclusion of special education team as needed or as applicable would perhaps be as as long as that's also in line with practice so okay can I ask a clarifying question are you envisioning a member of

[00:27:08] the special ed team in situations where we're dealing with a student with a disability as part of the threat assessment team or as a person who provides knowledge to the threat assessment team regarding the individual there's a substantive difference here one which one of which would be having to then train and include on all threat assessments well maybe not all threat assessments but include as a member of a threat assessment team somebody with a

[00:27:40] a special education background and I think this would that's a significant change in terms of our structures of threat assessment teams and additional responsibility that's not currently on the job descriptions for special education deans and others but I do understand the spirit of your recommendation and I was just wondering if you'd be comfortable with the

[00:28:11] suggestion of almost a miss Richardson's point of obtaining information students specific information from special education personnel prior to making a decision or taking action just to ensure we're considering those individual disability needs I think in there's a second recommendation here and perhaps

[00:28:45] we can talk about these together which was that there's also related to the training reference on starting on line 37 there's also a recommendation that the training would include information on functional behavior assessments behavior intervention plans positive behavior intervention and supports and individualized education plans and section 504 plans so I I'd love to hear your perspective on that because at the same time we're not expecting that every

[00:29:25] member of a threat assessment team would have expertise in all of these areas which are very specific and require more than just a training to become you know an expert in you know PBIS for example so I think the intent is to make sure that people who are performing the threat assessments have

more context about the whole student and anything about their circumstances that would impact their analysis of what was happening with the student?

[00:29:56] Yeah, so a number of members on the threat assessment team, the school psychologist and social worker, and I think the vast majority of our school counselors have backgrounds in FBAs and BIPs and positive behavioral intervention supports.

[00:30:16] Most of our counselors are coaches for the program and have some background knowledge on IEPs in Section 504. But just to sort of manage expectations here, the threat assessment training is nearly two days in its entirety, and stacking other trainings on top of it for all threat assessment team members, including the SRO and the school security officer, I think would be a bit voluminous.

[00:30:47] But to your point, we do have members on the threat assessment team who have background in these areas and are involved in, for example, FBAs and BIPs on a regular basis. In my mind, I felt like that perspective is already built into threat assessment teams.

[00:31:07] Again, the SEAC wouldn't necessarily know that, but I'm just trying to kind of clarify that recommendation vis-a-vis the structure of the team currently. Yeah. So I think between the two sort of perspective you brought, the knowledge of or the person from that team, and my, the sort of where I'm leaning towards is have the person from the team versus having the knowledge of being, so they're actually actively involved in, not that other members of the team are not championing for that, but I think that's where it's coming from.

[00:31:44] So Ms. Richardson, I do, I think I'm not sure, you know, what's the time frame for this particular policy. something we need to do today or something you want because I mean I'm more inclined to have a team member versus having the knowledge of special education so if you Mr. Richardson are okay then I think we can make the amendment but if there's some strong recommendation we could give some time for the for the team to perhaps you know take our feedback and come back if this is not time-sensitive that we gotta we gotta do something I know that 24 hours

[00:32:23] already in place and I think that's something we already behind the the ball on that so I don't know I'd love to get your thoughts measure sure so the substantive change and mr. lady please make sure I'm correct in this was the need for the frequency and training for the threat assessment team members correct I take it back I think right now we're still on for me I'm still on 10 11 I think we kind of just went down the path of 37 38 in the training part of But for me, I think the discussion is on line 10, 11, 12, about adding the special ed team

[00:33:02] where needed. Certainly, staff can take that under consideration. Mr. Lodi has referenced the impact that it could possibly have on teachers, department chairs, special education deans, so we will need to consider that.

[00:33:23] But we are happy to work with some wording and have that present in the policy should you wish to move this forward for information for next Tuesday we can have some verbiage for consideration we could we could still pass it with presenting two different options depending upon the materials that he can support for that so I think I could based on the information provided from now until information I could make a motion either for the amendment one or not the

[00:33:58] I just think I think we need to be careful about adding on another responsibility that's not part of current responsibilities I that's not that's not a direction that I'm comfortable going into but what I'm

what I'm hearing is that the concerns that SIAC has in part are we you are feeling that we are addressing those by virtue of the way that this threat

[00:34:38] assessment teams are put together the approaches that are taken the people that are involved already although it's not stated in a very explicit way and I'm wondering if because I haven't reviewed it but the associated regulation does the regulation cover any of the these specificity that could potentially have addressed CX concerns no not so much we're we're in a granular level of detail here our training manuals do in terms of terms of training

[00:35:17] for example one of the responses of a threat assessment team for a student with a disability if we identify that the reason for the threat was for non violent purposes like the student was using it to escape or avoid a non preferred task well we wouldn't view that as a student who's made a threat to carry out an act of violence it serves some sort of communication purpose for that student so we would view that from a functional behavior assessment lens and if that's not part of the students IEP we would conduct an FBA if the students

[00:35:53] has a pattern of using threatening language to get out of tasks that they don't prefer and so that's one of our options as a threat assessment team to take a response threat assessments always about solving and resolving the underlying problems that led to the threat so that would be a situation where violent intentions aren't determined but we would view this more through their disability lens and the school psychologists are the ones often involved in FBAs and BIPs and for students with disabilities so yeah I know

[00:36:30] the regulation doesn't necessarily resolve, but that could be a place where we could highlight this a little better. I feel like there's opportunity there to maybe address this in more specific detail. Male Speaker: So, Ms. Richardson, is it -- if a table -- not table, but I mean, if you bring it back at the next meeting as an action item, we can get some more feedback, some more clarity and maybe have a little bit of -- I mean, give some staff for providing that.

[00:36:55] I don't want to rush it through because now I think after hearing it, I understand the training aspect and the responsibility but I think it's it's imperative when when we do go to threat assessment we do have somebody from the special ed team as part of this threat assessment team I do believe at least at this point so I don't know if you're open for maybe coming back next next committee meeting is a certain action and we can get some more feedback from from the community from SEAC and some more clarification on that all right thank you thank Thank you, Ms. Looney.

[00:37:33] Okay. We'll move to the next item. No, I think -- no, you don't need a motion for that. We'll just bring it back. We'll move to the next item on the agenda, 403, Revised Policy 8115, Individuals Who May Be Admitted Free.

[00:37:55] Ms. Richardson? Yes, thank you. The changes made to the policy align with Virginia Code 22.1-3. The policy is coming before the committee. It was first presented on September 21st, it is part of the LCPS five-year plan.

[00:38:15] It was last adopted and reviewed by the board in June of 2018. Based on the feedback from the committee on September 21st, we did modify line 53 to better clarify, and in all of the lines where it referenced alternative education program, We added alternative adult education program.

[00:38:42] We wanted to provide that specific clarity. SEAC's feedback recommended modified language to reflect age of eligibility. And then there was no other public feedback received on this particular policy.

[00:39:01] Any questions, board members? Ms. Ogadugbe? Thank you. There were two very small technical changes that were brought forward by SEAC. Did you look at those? was a yes okay yes we did and we made that there was a recommendation for a change on line 25 a individuals with disabilities in accordance with the IDEA this recommendation was made with the concern for the current draft language not being clear so we did clarify that their second recommendation was at line

[00:39:37] 125 with the do not delete of the end and then recommendation number three at line 196 was to delete the word the before LCPS the grammar at line 125 should have a period at the end of produce the required records for enrollment and then begin a new sentence with the parent or guardian so we did make those clerical changes recommended okay great I just didn't see them in the version and board docs thank you okay I don't have any other questions thank you

[00:40:17] so in in the line 196 in the red line copy I still see the word in there the LCPS we will make sure that that is corrected yes thank you for for bringing that to our to our our attention any further comments I move that this committee approved the policy 8 1 1 5 to the full for the full school board as information item with amendments seconded by miss any further comments

[00:40:55] question no all those in favor raise your hand say aye aye the motion passes with the board member present and miss Sheridan absent we'll move to the next item on the agenda for four revised policy 5035 expunging middle school student grades miss Richardson yes this is another policy that was brought before the committee on September 21st you may note certainly looking at your red line version that there were major changes to sections a b and c which respectively discuss background and scope expungement process and the effect of the

[00:41:34] expungement notably middle school students are taking high school level courses certainly and they benefit from the exposure to rigorous and multiple pathways the advancement towards graduation requirements sooner some of the proposed policy changes added details necessary for family transparency of the purpose and limitations of the expungement process in LCPS explicit with descriptions of eligible courses that can be expunged we

[00:42:10] expanded that language we also expanded the deadline for submitting an expungement request so the original policy stated August 15th we have now broadened that language to capture until the end of the first quarter of every school year we've also added some clear the clarification of the process with parent and guardian notification of the expungement process so overall we believe that the recommendations will improve student access and parent clarity to the

[00:42:47] expungement process we have enhanced the communication practices certainly with middle schools and high schools to make sure that there is is clarity as you recall on September 21st we did have some questions from the committee you all asked for information and data with regards to the courses that are being requested for expungement so to the left you will see that we have we for 2023 we

[00:43:22] had a total of 911 requests you can see the breakdown by course area the top three being algebra 1 Spanish 1 and Spanish 2 then you can see the request coming from the rising eighth grader and then rising ninth grader I'll give you some time to look at that and then we also have a have a following slide that breaks the information down by school so you can see that as well while we're

[00:44:00] looking at mr. Richardson so this is expunged I don't know if you have how many how many students took algebra one and in middle school do you have just to kind of have a reference sure so we can work on getting that data for you as well so then you can have that to look at based on the 341 that asked for an expungement how many took it and did not request okay we can work on that data for you because I think that would be a telling story versus 341 doesn't tell you so I think that would be helpful I think that's something okay so my other

[00:44:39] quick question was before open up so from the last discussion I think was this the only ask to skip the data there was no changes made to the policy as we saw it because I don't see difference between what we saw last time no there were no requested policy changes from committee there was the request for data and the following slide breaks it down by middle schools and high schools based on the courses from the previous slides I think the other data point that we had

[00:45:14] discussed was an understanding of a distribution by grade that they had received that they were requesting to expunge and I'm actually surprised that there was I'm assuming there's no community comment because there were no attachments in board docs but correct there were no comments so you know I'm not inclined to make or make a formal recommendation for a change but I think one of the these policies are meant to help students who are struggling academically they're also I think can be used to you can get a good grade that

[00:45:52] isn't an A+ and then expand your grade to help a GPA in high school and that's one of the things I was expecting to to receive some feedback on again we didn't receive feedback I know this has been the practice I'm not I'm not recommending that we change that but I wouldn't wanted to see the data to understand how much of how much of these requests are at what end of the grade scale so that would be helpful and it doesn't have to be by class by grade it's just literally

[00:46:28] by grade what was the original grade that they're expunging certainly we will work on gathering that data okay other than that I don't have any further comment and I'm comfortable with moving this forward if you are I'll make the motion that the committee approve the sorry approve the policy 5035 to the full board as an information item is a second second by mr. Ogedek Bay any further questions comments no all those in favor raise your hand say aye aye the motion passes with the board member present and with mr. Sheridan absence

[00:47:05] okay so that completes our section of action items we'll move to information items with 501 revised policy 8630 inspection and review of educational records mrs. Smith thank you tonight we bring policy 8630 for its first reading in committee this policy is inspection and review of education records and it is up for its five-year review cycle so the the most substantive change in this

[00:47:45] policy is splitting the policy previously there was no regulation so this process is putting all of the process items into a regulation and then splitting that out from the policy itself other changes so it looks like a lot of red but it's really but most of that content is there across the both of those documents other substantive changes include cross-referencing state code so you'll see that in lines 10 through 16 adding cross-references to

[00:48:13] policy 8610 in line 36 again just changing a lot of clarification in the policy for wording through there one I one substantial change I did want to highlight was item E fees for copies of records this policy is changing shall to may charge for student records allowing administrators kind of discretion on when to charge fees versus requiring fees and then item G one FERPA states

[00:48:51] that the request to amend a record can't be used to challenge a grade so we added this is really for an inaccuracy than it is to challenge an opinion on that topic so there was language added to clarify that and then sorry what section was that that was item G section or item one item G one and I will get because I have I have E disclosure of records to the other parties he's the

[00:49:25] last one I have unless I'm looking at the wrong copy me I will find that line reference for you and send it to you the last change was added language to save a parent makes a request for an amendment in challenging a grade that LCPS is not required to hold a hearing in this language clarifies guidance from the Department of Ed and prevents unnecessary hearings to address those

[00:49:55] in one section was that sorry I'm just trying to follow sure if you don't mind it could we just go maybe line but I mean the section by section so because I don't have section G in my document yes and I'm looking here to see if that's in the that I'm sorry that was in the regulation which is why so those were items that were moved to regulation and then the changes that were identified in the regulation so sorry about that so if you don't mind could you just go through the the changes as we see in the red in the in the policy document right now I mean some of them are straightforward but if you if you don't

[00:50:34] mind just going through if something you want to touch on those things like the first paragraph and such a four has some more sure so it's lines 10 through 14 again are adding that Virginia Public Records Act code to specify exactly where in state code that is referenced. Lines 21 and 22 are adding a cross reference to policy 8640, Disclosure of Student Personally Identifiable Information. That policy was passed previously this calendar year. Lines 36 through 41 add a reference to policy 8610, Student Records. Again that was approved the previous fiscal year and that language comes directly out of that policy that

[00:51:13] was approved line 44 through 48 were removed for clarification because it's incorporated previously other changes on the second page are changing the right to file a complaint to the US Department of Education's SPPO student privacy policy office so correct that and when you get into section 113 the procedure

[00:51:44] all of that red line were pretty much moved into the regulation and again on page 5 line 177 those procedures again moved to regulation so then I think the line so then simply say the procedures for the requests can be found in the policy company regulations thank you thank you I'm back to the question of

[00:52:22] the fees so in the regulation on line 42 the change from shall to May there's but there's no reference to the parameters for the discretion about whether or not fees would be charged if the pages were 20 or more than 25 pages for the record so I think the intent there is that if that would be a financial burden we don't have to charge the fees but I think it would be helpful for consistency's sake to explain that so that we don't have differences between buildings about how

[00:52:55] not charging a fee is handled so that they know explicitly you know what the parameters are we can certainly take a look at that in the regulation and clarify that I don't have any further comments on this thing so just just it'll be posted for public comments starting tomorrow so hopefully we will collect all of that I'm including SEAC and MSAC and all of our advisory committee feedback and bring that back to the November meeting okay and you know one one quick

[00:53:32] question so normally I think this I like the approach of how MSAC and SEAC is providing a sort of a Miss Miss Richardson I think does feedback are good I think for this committee I think just just in

general there's a leaf I don't know there's any recommendation that leave could also perhaps perhaps comprehensively provide versus so I think we know the public public comment versus the leaf comments to that I think they'll be helpful to thank you thank

[00:54:00] you we'll move to the next item on the agenda 502 review of model policies on on ensuring privacy dignity and respect for all students and parents policy 8040 miss richardson thank you our final information item for this evening is a review of the 2023 model policies

[00:54:33] on July 18th 2023 the Virginia Department of Education the VDOE prom they promulgated model policies on ensuring privacy dignity and respect for all students and parents in Virginia's public schools there they will this be referred to as 2023 model policies as authorized by Virginia Code 22.1-23.3 this slide is an overview of our current policy review process which

[00:55:08] includes an extensive and transparent movement through the review of all policies certainly it begins at the with the VSBA which is the Virginia School Board Association and the Virginia Department of Education model policy if that is applicable our school board then begins to look at drafting policies and moving through that process through our nine standing committees which is in alignment with policy 2310 there is a two-step reading process at the committee and full board

[00:55:44] levels with the draft policy presented as information for board members initial review and feedback and then again for action once a draft policy has received an initial review by a school board committee it is shared with advisory and select committees and the public for review and feedback these feedback processes take place simultaneously. Staff then gather and review and organize all of the feedback that is received and consider changes or modifications to any policies. The draft policy

[00:56:24] then comes back to the primary school board committee with the feedback that is received for potential action and a recommendation to move the policy to the full board. Note that a red line and Clean versions of draft policies along with all written feedback are received and uploaded and stored in board docs for transparency.

[00:56:49] Once the policy has been recommended for the full board, it is then placed on the board agenda as an information item for review and feedback. Action by the full board is required for a policy to reach its final stage and approval.

[00:57:05] Please note that the overall policy review process typically takes at least three months and often longer if additional time is needed to collect any feedback and/or make revisions, as school board committees usually meet once per month.

[00:57:24] So that's applicable to all policies. The review of policy 8040 and the model policies of 2023, we are certainly looking at a very similar process it still is going to follow that to that two-step process with the committee and the full board that for the student services committee level reading staff are proposing a segmented process to look at the 2023

[00:57:59] model policies by area of focus in comparison to the 2021 model policies and LCPS Policy 8040. Following review of each section of the 2023 model policies, the committee will have time to compose questions and engage in discussion. After a review of all sections of the 2023 model policies, the committee will provide direction to LCPS staff. Based on the

[00:58:33] recommendations of the Student Services Committee, staff will address the current policy and regulation as directed. The outcome of the Student Services recommendations will be shared with advisory and select committees and the public for review and feedback. These feedback processes will take place simultaneously. Staff again will review and compile all of the feedback that is received and consider changes or modifications to the policy the draft policy then comes back to the primary student services committee with the

[00:59:12] feedback that has been received for potential action and a recommendation to move the policy to the full board again it should be noted that all documents will be posted in board Docs both redline and clean copies for for for transparency and it does require the action of the full board for the policy to reach its final stage and approval our proposed segmented process of the review of model policies 2023 this slide captures that segmented process the

[00:59:49] proposed process for review does align with our current policy review process that we went over for the first two slides if there are new if if there are questions from the committee about the proposed process for the review of the 2023 model policies we will now move on to a review of the student identification area of focus we will look at the 2021 model policies and 2023 model policies in

[01:00:21] comparison to our current LCPS policy 8040 the following slides contain screen shots of the exact language as presented in the 2021 and 2023 model policies and the LCPS policy 8040 thank you mr. Richardson so board members any comments questions on the on the approach because I think just to kind of share that I think this is a I think as you share with the slide I think the the whole idea is to be make sure that we are pretty transparent I know as part of

[01:01:00] policy in 8040 previously um it did it did go to the normal process but i felt like it needed the right sort of feedback and community input and so i i hope that this process would give the opportunity for for everybody to provide the input and hopefully we come to a good place if if there are amendments or the changes to it when we do the changes that we do it in a very transparent open and uh with we're taking public inputs in process for that so i'm fine with that

[01:01:30] thank you we can move forward this screenshot comes directly from model policies for the treatment of transgender students in virginia's public schools which was promulgated in march 2021 this is a snapshot taken from pages 12 through 14 of that document that captured the student identification section with regards to the 21 model policies they state the following students Schools shall allow students to use a name and gender pronouns that reflect their gender

[01:02:10] identity without any substantiating evidence. School staff shall, at the request of a student or parent, when using a name or pronoun to address the student, use the name and pronoun that correspond to their gender identity.

[01:02:35] This screen reflects the screenshot taken from our current LCPS Policy 8040, Rights of Transgender and Gender Expansive Students, which was adopted by the LCPS School Board on August 11, 2021.

[01:02:51] A copy of the current policy can be found by accessing the LCPS website. The current policy states the following with regards to the area of focus of student identification. is section a of our current policy its title student identification names and pronouns LCPS staff shall allow gender expansive or

transgender students to use their chosen name and gender pronouns that reflect their consistently asserted gender identity without any substantiating evidence regardless of

[01:03:30] the name and gender recorded in the student's permanent educational record. School staff shall, at the request of a student or parent legal guardian, when using a name or pronoun to address the student, use the name and pronoun that correspond to their consistently asserted gender identity.

[01:03:54] The use of a gender-neutral pronouns are appropriate. Inadvertent slips in the use of names or pronouns may occur. However, staff or students who intentionally and persistently refuse to respect a student's gender identity by using the wrong name and gender pronoun are in violation of this policy.

[01:04:26] The screenshot and the subsequent two slides with screenshots come directly from the 2023 model policies for ensuring privacy dignity respect for and respect for all students and parents in virginia's pub public schools and can be found on pages 14 and 15 of the model policy document the 2023 model policies state the following with regards to the area of focus

[01:04:58] of for student identification number one every effort should be made to ensure that a transgender student wishing to change his or her means of address is treated with respect compassion and dignity in the classroom and school environment number two school division personnel shall refer to each student using only the name that appears in the student's official record or if the student

[01:05:32] prefers using any nickname commonly associated with the name that appears in the student's official record nothing in this policy shall prevent a shall prevent school division personnel from using a different name for a student when it is necessary for the students academic instruction such as using a name more common in a foreign country while in a foreign language course number three school division personnel shall refer to each student using only the

[01:06:09] pronouns appropriate to the sex appearing in the student's official record that is male pronouns for a student whose sex is male and female pronouns for a student whose sex is female section four notwithstanding the provisions of the prior two paragraphs two and three of this section school division personnel shall refer to a student by a name other than one in the student's official record or by pronouns other than those appropriate to the sex

[01:06:45] appearing in the student's official record only if an eligible student or a student's parent has instructed the school division in writing that such other name or pronouns be used number five any written instruction from a parent or eligible student under paragraph four of this section shall be memorialized in the student's official record and subject to the same retention disclosure and confidentiality requirements as the official record

[01:07:24] itself the name the sorry the legal name and sex of a student shall not be changed even if upon written instruction of a parent or eligible student except as specified in section C2 item 6 notwithstanding the provisions of paragraph 4 of this section a school division shall not compel school division personnel or other students to address or refer to students in any

[01:08:00] manner that would violate their constitutionally protected rights. Number seven no policy guidance training or other written material used by the school division may encourage or instruct teachers to conceal material information about a student from the student's parent including information related to gender, provided, however, that school division will comply with all laws

[01:08:35] that prohibit disclosure of information to parents, including but not limited to Code of Virginia, Section 22.1-272.1, parenthetical B, prohibiting parental contact where student is at imminent risk of suicide related to parental abuse or neglect.

[01:08:59] This concludes the committee's review of the area of focus for student identification. We have presented information from the 2021 model policies, the 2023 model policies, and the current LCPS policy 8040.

[01:09:21] At this time, staff will provide the committee with the opportunity to ask questions and to engage in discussion. Thank you, Mr. Richardson, board members, any questions? So, Mr. Richardson, I guess there are two sort of, I guess, structural questions from process.

[01:09:42] I know there was a discussion about -- because there's been a lot of talk about the policy, whether this policy is in alignment with the Title IX laws or other laws.

[01:10:00] And so, one sort of item I know we talked about was perhaps to schedule a closed meeting to see what I mean if that's it will be that will be the place to get feedback from the Council or how do we get to that comparison to see what what items of this are from the policy that the new model policy versus where we are what what are the differences when it comes to Title IX because I know Title IX also speaks to quite a bit from a federal perspective so I just want to be have an opportunity and clarity between not only the model policy

[01:10:38] the the 2023 model policy the policy that we have and then any other federal title line or other laws etc so we can at least get a better understanding because there's quite a bit I mean again there's a lot of options available the way I read it that gives the ability to still have the pronouns but it seems very you know again it's it's a lower speak more than clarity on how do you go about synthesizing that certainly so if I understand your comment correctly, you would like not only a comparison of 2021, 23, and current

[01:11:17] policy, you would also like to layer on a review of how they compare to current Title IX laws. I'm certainly not the expert in that area. We do have legal counsel present. I don't know if Mr. Allen can speak to some parts of Title IX or maybe suggest a process for which we undertake the review and side-by-side comparison.

[01:11:40] Thank you, Mr. Mahadevi. Given the import of these matters, I do want to ensure that questions are given due attention and consideration. And to that, and the Office of Division Council is willing to take these questions under advisement and provide you with responses in the future to them.

[01:12:00] So I think it's appropriate, and we want to be deliberative here and provide thoughtful responses. And so to the extent that's a request to break it down, you know, what's the legalities of each, we're happy to do so. yeah thank you I think that would be really helpful because I think comparing one to two I think this is good but I think you know again from the right course I mean I mean right is the right word but what's the course of action from the division from from the legal to make sure we as a board members are you

[01:12:36] know better informed and better better informed in terms of how we navigate through this and what changes we can make what changes we cannot make so I want to have better clarity as we go through this the only other thing that to share in regards to committee the committee's budget I mean the time allocated is about an hour and I think we've gone about 15 minutes over and so we still have other business

to continue so I think maybe we can plan to have a little bit more time next at the next meeting so we can give a little more

[01:13:11] time and and plan for that better because again this is we're hoping that did we start the discussion on this particular policy and it was not left out. I know there was a lot of discussions on it and I think there was a lot of business and student services committee that we had to complete, including the one timely about having the 24 hour policy that we had to push through.

[01:13:32] So I look forward to an update from that, but let's allocate a little more time in the next committee meeting and see how many sections we can cover in that meeting. - Certainly, we're scheduled to have our next committee meeting on November 16th. Is it still the desire of the committee to begin at 5 o'clock?

[01:13:52] Did you want to start earlier, or would you want to extend past 6 o'clock? Well, I cannot start before 5, so I think we can budget for maybe half an hour, maybe 6.30, so that way we have enough time if we need to cover through other items or make sure that we do give this, you know, we have the questions that we can offer.

[01:14:15] We can provide the questions to you, and I'm sure we'll be hearing a lot more from the community as well, So I think we'll be having a lot more questions and comments on this thing as we go through the policy. Certainly. Anything else?

[01:14:31] Okay. I guess I'll move to the next item. Any new business? If you guys know new business, we can adjourn the meeting. Thank you.



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