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Loudoun County School Board, Legislative and Policy Committee Meeting, Wednesday, October 28, 2026

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Place	Loudoun County Public Schools / School Board meeting (see BoardDocs / LCPS-TV)
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<ul style="list-style-type: none">Official meeting video (Vimeo / LCPS-TV): https://player.vimeo.com/video/1240586716?rel=0BoardDocs (School Board): https://go.boarddocs.com/vsba/loudoun/Board.nsf/Public	

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-29. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:00] Good afternoon, I call the October 28th, 2026 Legislative and Policy Committee meeting to order. My name's Ross Fenton, I serve as chair of the committee and welcome everyone here today. Signups for in-person public comment occurred prior to the start of the committee meeting. The meeting will be audio recorded and posted on BoardDocs.

[00:00:18] Do we have any signups for public comment today? Seeing none, we will move on past that. I understand that Dr. Rasheed is unable to be here in person today been notified that she'd like to remotely participate um dr rasheed could you please state your location and whether this is a medical or personal matter hi hi um thank you for this i

[00:00:51] am at home and this is a medical matter thank you and is anyone present with you at this location they're present but they're on the other side of the house okay and and who is that that's present my kids are present but they're on the other side of the house okay got it thank you um and this is a medical exemption. Therefore, I will entertain a motion that Dr. Rasheed's request to participate remotely be granted. Second. Are you making the motion? Yes. Oh, I'd like to make a motion that

[00:01:29] remote participation for Samara be granted. I second the motion. And all in favor, say aye. Aye. The motion passes two to zero with all school board members present voting in favor. welcome to the

meeting dr rasheed thank you all right i will now move to item three of the agenda the meeting minutes um have has everyone had the opportunity to review the draft uh meeting minutes

[00:02:03] from the september 9th committee meeting any changes i will entertain a motion i'll entertain a motion to approve the minutes from the september 9th meeting second um will you uh sorry i'm sorry I'm so used to saying second.

[00:02:24] I'd like to make a motion to approve the meetings from September 9th, 2026. Thank you. I will second that motion. All in favor of approving the minutes from the September 9th, 2026 meeting, say aye. Aye.

[00:02:42] That motion passes three to zero with all school board members present voting yes. Thank you, everyone. We will now move on to item four, our action items. that's 4.01 policy 3130 evaluation I will turn it over to dr. Bergen to present Thank You mr. Svenson and board members this item is returning to you from your last meeting policy 3130 was last reviewed in October of 2021 so we are looking at it on its five-year review the proposed changes were

[00:03:18] circulated for community feedback and we did receive feedback from MSAC so we'd like to review that feedback with you now and then share some recommended additional changes from staff based upon the feedback thank you for so as displayed on the screen and also attached to this item and board members we distributed copies to you the feedback from MSAC there were two pieces of feedback first at lines four and five there's a reference to his or her the

[00:03:51] comment from from MSAC was to replace the wording his or her as it has been changed in other policies with the recommendation we use their t-h-e-i-r the recommendation from staff is as you see in red line on the screen to replace the words that are appearing in strikethrough work with the division superintendent and improving his or her effectiveness so that this section of the policy reads one of the primary methods used in carrying out this responsibility is to improve the superintendent's effectiveness through a

[00:04:31] thoughtful evaluation process we believe this is responsive to the suggestion from MSAC and would leave it to the committee to entertain if you would like to accept that staff recommendation would you like me to pause there chair Svensson to deal with that or go on to the second from this policy I'm happy to pause there I will make a motion to amend policy 3130 as presented to on the

[00:05:05] clean copy at lines 3 and 4 replace the sentence that currently reads one of the primary methods used in carrying out this responsibility is to work with the superintendent in improving his or her effectiveness with the staff recommendation of quote one of the primary methods using carrying out this responsibility is to improve the superintendent's effectiveness through a thoughtful evaluation process. Is there a second for that motion? Second. Second. That motion has been made by

[00:05:40] myself, seconded by Dr. Rashid. Any comments on the amendment? Yes, Mrs. Griffiths. Thank you, Chair Svensson. I would like to point out, just in general, there is no consistency with pronouns within lcps policies i want the public to know that from staff recommendations the changes to reword lines four through five on the red line was provided at 8 35 this morning likely as a result of last night's discussion at our school board meeting on the english language of removing

[00:06:16] pronouns in our policies while the revised sentence from staff recommendations reads very well I believe it is important to explain how we arrived at this language I actually agree with MSAC's

suggestion changing his or her to there because we've gone in and we're every policy that comes up we're changing that during our school board meeting last night I believe I proposed using there as a possessive pronoun in a different policy the revised sentence from staff

[00:06:54] recommendations does does make sense and grammatically is understandable however I think it is important to acknowledge publicly that we are making intentional choices about wording used in our policies and in some areas departing from traditional pronoun usage in the English language trying to get away from pronouns completely by rewording sentences is every time a policy comes up, we reword the policies. Well, I can't police every single policy. It is important for the public to know that this is happening. This is what we waste our time on. Updates from

[00:07:34] the state is one thing, but getting into the weeds of all our policies to be reworded is just ridiculous. I would like to see more of a focus on education and not rewording of our policies. Last night's policy, 43-30, the school board voted to change their to its, which did make, it made no sense.

[00:07:55] In some policies, pronouns are being completely removed, and in other cases, pronouns are being kept. So it's a matter of we're not showing the proper consistency. We sometimes revise the whole sentence like we're doing today.

[00:08:11] Are we doing this with all pronouns? Are we replacing his and her with their? Are we replacing their with its? Or are we no longer using pronouns, period? I am not about changing wording in our policies to get rid of pronouns.

[00:08:27] I don't think it's needed. I am about the content of the policies. We are in the business of education. We are not going into all policies to make pronoun changes. It just seems ridiculous.

[00:08:44] Regardless of where individuals stand on this issue, I believe transparency about these changes and reasoning behind them is important for the public. While I have my thoughts, it's probably going to go nowhere, but at least I can say it publicly so everybody knows that we are going into every policy that is up for review, and we are changing pronouns that don't need to be changed.

[00:09:09] And some make sense, some don't. And I'll just reiterate the sentence that you provided through staff recommendations this morning at 835 this morning. Sounds fine, but why? Why did we have to change it? It just doesn't make sense to me.

[00:09:25] So I just wanted to get that point across. Whether or not it's taken into consideration for changes, probably not. But at least per last night, our school board meeting last night and today, I can come out publicly and basically tell the people of Loudoun County that we're pulling pronouns out of every policy.

[00:09:45] It could be, you know, the English language or it could be ideological. I don't know. Take your pick. Thank you. Thank you, Mrs. Griffiths. Dr. Rasheed, any further comments on this amendment? No, I do not have any comments.

[00:10:05] Thank you so much. Thank you, Dr. Rasheed. I appreciate the desire for consistency with the policies. I agree that to the extent we can have consistency across the policies, it's helpful. I like the staff recommendation because it references a thoughtful evaluation process and makes grammatical sense, as Mrs. Griffiths noted.

[00:10:26] So with that, we'll take a vote. All in favor of this amendment to insert the staff recommendation language at the lines three to four of the clean copy. Say aye. Aye. Aye. All opposed say nay. The amendment passes two to one with Dr. Rashida myself voting yes and Mrs. Griffiths voting. No with that I'll turn it back over to Dr. Bergen for presentation on the Policy 3130. Thank you. Mr. Svensson also from MSAC in the same policy was a second

[00:11:07] Comment this appears at lines 11 and 12 of the red line. The sentence the school board may add any additional criteria as deemed appropriate referring to criteria for the evaluation of the Superintendent. The comment from MSAC is or the question actually is is there a process to identify these additional criteria?

[00:11:27] What steps are taken to ensure all school board members are evaluating based on the same criteria? With a recommendation to avoid any possible confusion and ensure that the school board members are on the same page on evaluation criteria suggests that the sentence at a minimum is updated to state any additional criteria will be added based on a majority vote from the full school board. The staff recommendation in response to this feedback is to insert the words through consensus as opposed to by majority vote because the superintendent's evaluation is a discussion that's held in closed session it's not by majority

[00:12:03] vote it would be by consensus in closed session so the sentence would now read the school board may add through consensus any additional criteria as deemed appropriate. Thank you Dr. Bergen. Board members any feedback thoughts on this proposed recommendation. I don't have any thoughts. Thank you. I appreciate it all right. I'll go ahead and move to amend lines of the clean versions the line 10 through 11 that currently reads the school board may add any additional criteria as deemed

[00:12:42] appropriate with the staff recommendation quote the school board may add through consensus any additional criteria as deemed appropriate end quote. Is there a second? Second. Second. Motion has been made by myself seconded by Mrs. Griffiths and with that all in favor of the amendment say aye. Aye. Aye. The amendment passes three to zero with all school board members present voting yes. I would turn it back over to Dr. Bergen in case there's anything else to

[00:13:18] present on the policy nothing more to present on that policy if you don't mind Chair Spence I'd be happy to respond briefly to Mrs. Griffiths questions as to why did we change the sentence that we did and it's for the very reason that you both stated or at least one of you stated it just was a stronger sentence as amended we are replacing his or her or him or her in policies and we are recommending the use of the word there t-h-e-i-r as you will hear I think in the next policy as we were about to discuss the change that was posted to board docs was a

[00:13:56] change that I contemplated after receiving the MSAC feedback discussed with other staff members over the last several days and it was uploaded this morning in preparation for the meeting. The timing is coincidental but has absolutely nothing to do with the conversation that the board had last night. Was independent of my thinking or my recommendations as presented to the committee today so moving on to information item 5.0122 yes I think yeah I think we just need to officially vote to move the 3130. Sorry no no will yes

[00:14:33] so we will I will entertain a motion to move policy 3130 to the full school board as amended I'd like to make an um thank you Chair Svensson I'd like to make a motion to move 3130 to the full school board thank you and are you are you uh moving to forward it to the full school board as amended as

amended thank you i will second that motion um any discussion on the the motion no i'm good thank you thank you dr rasheed um hearing none uh all in favor of moving

[00:15:13] policy 3130 forward to the full school board as amended please say aye aye aye that motion passes three to zero with all school board members present voting yes um with that we'll we'll move it forward to this next school board meeting as information um so i thank you dr bergen i'll turn it over to you uh for our next section on the agenda um number five information items item 5.01 policy 2220 on the clerk thank you this policy 2220 was last reviewed in

[00:15:49] November of 2021 so it is also on the five-year cycle for review as shown in the red line there are several proposed minor revisions to align the language in this policy with references and other policies specifically replacing references of quote his / her and references to quote him / her which I will dress as we review the red line so beginning at the top of the red line you will see at line 2 it currently reads a person as clerk of the school board and fix his her compensation we are recommending that we strike his slasher

[00:16:28] and replace with their th eir moving down in the policy a grammatical preference of using the word that over the word which at line 11 and at line 14 replacing the reference to him her with the superintendent in connection with the business of the school division so that that last full sentence from lines 12 to 14 will read the clerk will work under the supervision of the superintendent and will perform all duties required by law and such other duties and functions as may be assigned by the superintendent in connection with

[00:17:05] the business of the division those are all of the proposed changes by staff again this is up for its five-year review we'd be happy to answer any questions about our proposed revisions. Thank you, Dr. Bergen. Board members, any questions, comments? Mrs. Griffiths. Thank you, Chair Svensson. Can I ask you, Dr. Bergen, line two, why wouldn't you use the word it's instead of there? There is a possessive pronoun, right?

[00:17:33] So why wouldn't you use the word it's? Because that also came up last night. It's replaces there. So can you explain that? I can share with you what I heard in the discussion at the school board meeting last night, there were several references in the policy last night to a bidder in the singular and bidders in the plural. And a bidder is a company, not a person. A bidder. The ABC company is bidding. So it was appropriate, or the board felt it was appropriate, to refer to the bidder as it. So the bidder or its bid. When there were more than one bidders in the plural,

[00:18:11] It would be their, meaning the possessive, more than one, T-H-E-I-R, the bidders or their bids. That was last night. In this policy, we're referring to a person, the clerk. And so we're referring to the person as their, T-H-E-I-R, not as it.

[00:18:28] And can I also ask you, what guidelines are you using to make your changes and take out pronouns? What guidelines? I would think, you know, let me research that for you. I would think it would be APA.

[00:18:44] What does the APA stand for? American Psychological Association. So I'm trying to understand, I've done a little research on the APA, why we are following the guidelines when we don't have to.

[00:19:00] We should be going with what makes sense. So can I ask you why we're changing all, what made us decide to use APA for all our policies? When I was writing my dissertation, I used APA.

[00:19:17] It's standard for legal writings, for academic writings, in this case for school board policies. Do you happen to know what guidelines we used before the APA? I don't. Okay.

[00:19:34] I don't mean to put you on the spot, but I just find it funny that we're doing this, that we're going out of our way to change language in all of our policies. I'm glad that you have put it out there that we are going to go into every single policy and catch where it has his or her and change it to a different pronoun or take it out completely, even if it doesn't make sense.

[00:20:02] So, thank you. Well, we've been doing that. So, I've inherited this process. That process was underway. I'm just carrying on. Oh, I know we've been doing it. And, of course, I can't police every policy, as what I said before. but I just feel like it's good that we get it out there in the public that this is happening.

[00:20:23] Thank you. Board members, any further comments on the information item? I have a, not a question, maybe even a comment, I guess. Yes, Dr. Rashid. Thank you.

[00:20:40] So for, like, for example, for many of the colleges that are out there, I know that I teach there at Northern Virginia Community College. I know that we require our students to follow APA formatting. I mean, I don't know if that's a general rule for the colleges, but I know that it's kind of a, I don't want to say a standard amongst all colleges, but it is a possibility that that is just a guideline that is used universally, but I would have to look that up even further. Thank you.

[00:21:13] Thank you, Dr. Rashid. Yes, my understanding is APA, along with MLA or Chicago style guides, are all pretty standard style guides that are used across academics and industry. So I understand we have to pick one and ideally go with one for consistency.

[00:21:31] So I appreciate that the school division is utilizing APA. I know that I like the Oxford comma. I know APA does not do the Oxford comma. I don't like that. but I appreciate the need for consistency in our policies.

[00:21:48] So in my own writing, I'll continue to use the Oxford comma. All right, if there are no further comments on this, board members, are we comfortable sending this policy out for public feedback and it returning as an action item at our next committee meeting?

[00:22:06] Yes, for public feedback, yes. All right, thank you, board members. Let's move forward to item 5.02, policy 2430, school board agenda thank you mr. Svensson so this policy is not up on its five-year review it was last reviewed in August of 23 but there are some changes in state code so we need to update the policy to align our policy with state code the most pertinent section I'd like to start with the end and then work

[00:22:41] backwards is it is starting with section H which is on the second page on the red line version beginning at line 66 through lines 81 and I want to start here because the other red line changes reference this insertion of this new section so I'll just read from the red line version new section H final action on items added after meeting commences point number one no final action may be taken on any item added to the agenda after the meeting commences unless the

[00:23:17] item is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with Virginia code 2.2 - 3711 this restriction applies to items added under subsection D and the

items considered under subsection F which we'll review in just a minute point number two for purposes of this subsection the term quote final action and quote means a vote adjudication or other formal action taken by a public body that completes a matter or acts as the final consideration of an item the term does not include a referral to a

[00:23:55] committee or advisory board be referral to a future meeting for action see direction to staff to provide further information or D issuance of a commending or memorial proclamation so with that understanding of that new section I'll then bounce back up to the top of the policy first at line 1 we have been inserting the words Loudoun County in front of school board consistently throughout our policies we're extending the opening paragraph to include the words the proposed agenda shall be published on the school divisions official website prior to the meeting that is our practice not a change in any

[00:24:35] of our practice or procedures at line 9 we're striking the word division in front of superintendent as we have been consistently doing in other policies you'll see that same recommendation at line 25 of the red line and under emergencies referencing that new subsection H we're extending emergencies to say that the chair or the superintendent with approval of the chair may place any emergency matter on the agenda for any meeting subject to the restriction in subsection H below on final action for items added after a meeting commences moving down to paragraph F at line 44 on the red line

[00:25:12] suspension of the rules we're inserting to the extent that an item is on a meeting agenda prior to when the meeting commences and then continuing on with that paragraph as written and inserting to section F at line 52 to the extent an item is added to the agenda after the meeting commences any vote taken on that item is subject to the restriction in subsection H on final action for items added after a meeting commences and then the final red line is striking

[00:25:48] the word division at line 57 so in summary the the major change to this is insertion of H clarifying that final action cannot occur on an item that hasn't been noticed to the public in advance except under the circumstances that are articulated within the policy and then referencing back to that new subsection in d and f i'll pause there to see if legal counsel has anything more to add other than

[00:26:18] my review of the red line thank you dr bergen i think you fulsomely covered that thank you dr bergen and mr allen board members any questions about this mrs griffiths thank you chair svensson um and and west can uh mr allen um can answer to this um on line five of 24 30 the proposed agenda in the red line the proposed agenda shall be published on the school board division's official website prior to the meeting what happened to three days did we get away from that that needs

[00:26:58] to be mentioned in there that it is required that the agenda is published three days prior to the meeting for the public so I'm not sure why we got away from that and if I need to do an amendment I will but if you can explain that why we got missed. Thank you. Thank you, Mrs.

[00:27:21] Griffiths. I believe that should be referenced elsewhere. There is a time limitations and section C which talks about the agenda items and supporting documentation and the delivery to each board member at least two days prior to the meeting but if you bear with me I will do a quick search to ensure time limitations pursuant to 2.2-3707 are included. And I'm referencing putting it out publicly on

[00:27:56] board docs at least three days prior. Now would it be line five to clarify that? Thank you Mrs.

[00:28:23] Griffiths after consulting the full language of the code. So it's the notice of the meeting that shall be posted at least three working days prior to the meeting but the actual documents the only

requirement under Virginia Freedom of Information Act is that the public receive the documents at the same time that the board receives it which is captured in this policy now it could be that the board could consider a stricter you know approach and so if you'd like to make an amendment for the committee and ultimately the full board to consider in terms of that timeframe you

[00:29:01] you could do so um am i able to make the amendment today or i'd like to make an amendment that the proposed agenda shall be published uh three days uh let's see three days prior um to the school board meeting so however we can um because i'm just coming up with that off the cuff if it if i may yes go ahead since we typically do amendments when it's up for action with the committee and and its information, and this will maybe give you more time also to put it together.

[00:29:33] It'll give me more time to put it together. Yeah, happy to entertain amendments, and it will be helpful also after we've received the public feedback on it that we can potentially consider additional amendments. It might even be more than three days prior. Board members, any other questions about the policy?

[00:29:58] No, I don't have any questions. Thank you. Thank you, Dr. Sheet. I had a couple questions. For Section H, I wanted to ask about two words here. Talk about item, agenda item.

[00:30:13] I know we've discussed this as a board previously, but what is our understanding of item versus an amendment or supporting document in relation to that? Maybe this is a question for Mr. Allen.

[00:30:31] Thank you, Chair Swinson. and I believe it actually is convenient that it's item because there are per the school board's agenda action items. So it would be an item either 14.01, 14.02, that matter.

[00:30:47] It's not necessarily a prescribed motion because motions can be amended and as you hear from public input or as the discourse advances, you board members can organically brainstorm or think of on the spot incidental motions to the recommended course of action that's listed for each item in the agenda detail items so I hope that answers yes thank you I just wanted to make sure that you know this section is not limiting incidental motions when we're talking about an action item you know for example if

[00:31:23] we're on the dais talking about an agenda item and someone puts forward an amendment based on that conversation live conversation or public feedback you're talking about that this does not prevent a board member from doing so and the second word in the section I had a question about is time-sensitive I don't know if we have anything guiding what the definition is of time-sensitive or that's determination for the for the board to make thank you chair Swinson

[00:32:01] That language is tracking the language from 2.237.07, and there is no definition for time-sensitive. So I believe that's within the board's purview to end discretion as to determine what is time-sensitive, and it could do so by consensus or majority if there's a dispute as to whether there's an item that's time-sensitive.

[00:32:22] Thank you, Mr. Allen. With that, board members, are we comfortable moving this forward to public feedback and to come back as an action item? Yeah. All right. We will revisit this as an action item at the next committee meeting.

[00:32:46] That we will now move to item 5.03, policy 3065, information security protection. And I will turn that over to Mr. Smith. Awesome. Thank you very much. Tonight we're here to discuss policy 3065, information security protection, which establishes LCPS framework for protecting information and

technology assets from compromise or loss, including educational assets, financial personnel, and legal data.

[00:33:13] It addresses asset protection, security monitoring, risk reviews, training and awareness, information management, and accountability for managing a secure environment. Policy 3065 is up for its five-year cyclical review. The proposed revisions to Policy 3065 modernize and strengthen LCPS existing cybersecurity practices.

[00:33:32] Key updates align the Information Security Program with recognized cybersecurity frameworks and K-12 best practices, strengthen security awareness training, clarify protections across physical and virtual environments, and explicitly include monitoring and LCPS's security oversight. The revisions also add a cross-reference to policy 5430, use of generative artificial intelligence, reflecting the evolving technology and cybersecurity landscape.

[00:33:58] As this is the first presentation as an information item tonight, the policy will be posted for feedback per board or committee action using the standard processes and when we'll bring the policy back for action at the next L&P meeting with that I'm happy to walk through the changes or if there's any specific questions we can answer those however you would like me to move forward thank you mr. Smith I will ask board members if you all have any specific questions about this policy yeah I don't have any questions all right I also don't have any questions at

[00:34:34] this time so our fellow board members are you comfortable moving posting this for public feedback and and revisiting this as an action item at the next meeting yeah thank you both appreciate thank you mr. Smith that was the easy one all right we will now move to our next information item which is I am 5.0 for equal access to public education and protection of immigration and citizenship related information I will turn that over to dr. Bergen to present

[00:35:09] and I understand this may be time intensive as we have a few policies related to this information item yes mr. Svensson I'll just provide a little background as was attached to the item when we provide a public notice on this discussion this is due to New Virginia state law requirements that the school board must implement policies and procedures that provide for equal access to public education and protection of immigration and citizenship related

[00:35:44] information the General Assembly passed House Bill 836 which is the requirement that the Virginia Department of Education develop implementation guidance as it relates to the right to free public education and prohibition of discrimination based upon citizenship or immigration status Virginia law requires every school board implement policy and procedure that provide for equal access to public education and protection of immigration and citizenship related information the changes in the law prohibit school boards public elementary and secondary schools school resource officers and

[00:36:22] school board employees contractors and/or agents from denying enrollment or participation in school programs or activities based upon a student's or parents actual or perceived immigration or citizenship status this aspect of the legislation is consistent with long-standing Supreme Court precedent so the Virginia School Board Association did put out a model policy for school boards to contemplate we contemplated that and and we still could go in that direction but what we are asking or intending for the committee to do

[00:37:01] tonight is to consider these six policies where we do refer with where this new requirement would would pertain beginning with 1040 as well as 80 30 81 15 81 25 86 10 and 86 40 they have all been uploaded into board docs and I will pause there because we have had extensive conversation myself and division council in agenda planning with you mr. Svensson so I'll turn to my colleague Mr. Allen, see if he has more to add about these new requirements before we delve into any of these

[00:37:36] policies. Thank you, Dr. Bergen. As Dr. Bergen indicated, this is a result of a legal requirement that in the enactment clause for House Bill 836, which added Virginia Code Section 22.1-2.2 to the Code of Virginia, just by way of context, required the Virginia Department of Education to put out guidelines, which by August 1st, 2026, it did so in August of 2026, it's about 19 pages.

[00:38:14] And as Dr. Bergen indicated, the Virginia School Board Association provided a seven or so page model policy for school boards to consider adopting. As you heard Dr. Bergen convey, staff's recommendation is to incorporate the legal requirements into existing school board policies and procedures where they logically would reside within those policies. And the enactment clause for that House Bill 836, as you heard Dr. Bergen say, provides that school boards

[00:38:52] or requires school boards to develop and implement policies and procedures in accordance with the legal requirements by December 31st, 2026. By way of additional context, the intent, my understanding, is to ensure and memorialize legal requirements set forth in *Pilar v. Doe* from the 1982 Virginia Supreme Court, or sorry, the United States Supreme Court is incorporated into our policies and procedures. And with that, I'm happy to walk

[00:39:29] you through the proposed changes. Our staff attorney did a crosswalk of where the legal requirements would logically reside. And so I'm happy to walk you through that now. So the guidance put out by the Virginia Department of Education has a couple headers or topics that are required. So the first one is policies regarding enrollment and access, enrollment

[00:39:59] and participation. And so we'll look to 81-25 and 81-15. 81-15 being individuals who may be admitted free. And as you'll see on the screen, the proposed insertions are on lines 11 through 18 and then 21 through 26. And these track the requirements set forth by the Virginia Department of Education guidelines that they put out in August.

[00:40:30] The next policy, as referenced, and just as an aside, you'll see the legal reference for 8,115 has proposed to add Virginia Code section 22.1-2.2, which went into effect at July 1.

[00:40:49] The next policy is admission requirements 8,125, and the proposed insertion is on lines 56 through 62, which provides the immigration or citizenship status, LCPS shall not request or collect information or documentation concerning a student's or the student's parents, immigration or citizenship status, except to the extent required by state or federal law, and goes on to, again, track the language required by the new code section.

[00:41:27] Thank you, Mr. Allen. I might pause there just as we take these policies and turn to these admission and enrollment related policies 8115 and 8125 and see if board members have any questions about the red lines that Mr. Allen just walked through.

[00:41:44] Yes, Mrs. Griffiths. I'm trying to go back, but I believe it was in 8115 where the student would be admitted free. If they're living in Virginia, I mean, they would be able to come to school anyway, so I'm not

sure why we would put that in there unless they're coming from another state because I know we charge a rate for students coming from other states.

[00:42:16] So maybe clarification needs to be done there. What are your thoughts on that, Mr. Allen? Yes, I think the only proposed change at this time to these suites of policies are to embed and incorporate required provisions that are set forth in the Virginia Department of Education but it doesn't negate what what you just provided that that is accurate because I assume that if you're living in the state of Virginia you can go to any school so to put the word free I just

[00:42:55] it threw me off a little bit yeah just as a clarification it's within your county, right? So if you're living in the county, within your county, and you go to a county school, you're not paying for the public education anyway, unless through taxes, right? But we're not putting that in there. Thank you, Mrs. Griffiths. I believe lines one through two just specified that individuals who meet the age and residency requirements of Virginia Code shall be admitted

[00:43:31] for a free education in Loudoun County public schools. Can that mean also somebody's on a um a visa to to have to clarify free um you know how we're the government seat so a lot of students are here because maybe uh they're from another country and their parents work in government um so i don't know if there's any way to clarify that um i'm just questioning what why we would

[00:44:07] say a free education why we have to say it um it's automatic right there in virginia thank you excuse me mrs griffiths this um broader policy tracks the virginia code 2.1-3 persons to whom public schools shall be free so that's the title of that code section so it generally tracks the policy name title tracks that code section title but to your earlier points section a5 discusses

[00:44:39] students with military parents students b sorry section b discusses students from foreign countries so it's pretty comprehensive to address various situations including students who are dependents of full-time active duty member of the uniformed services as well thank you for the clarification board members any further questions or comments on 8115 or 8125 i don't have any questions thank Thank you, Chair.

[00:45:16] Thank you, Dr. Rasheed. Mrs. Griffiths. Just one question, but I think it was clarified. From 56 to 62, immigration or citizen status, we're not going to ask their status, but they need to provide the proper, I believe it says it somewhat, but you can clarify for me.

[00:45:38] They need to provide the proper paperwork that if a student is in our schools, they're in the right grade, their age, that sort of thing, to make sure they're some form of identification from where they're from that says their age and what grade they should be in and that sort of thing.

[00:46:00] Yes, Mrs. Griffiths, that's exactly right. Lines 60 to 62 address that specific point and requires that school boards do not eliminate otherwise lawful requirements concerning age, residency, identity, health, or other admission qualifications.

[00:46:21] Thank you. All right, Mr. Allen, I'll turn it over to you to go through the next set of policies related to this action item. Thank you. So the next broader topic is our policies regarding information collection and records.

[00:46:38] And so for that, we look at 8610, which is our student records policy. And the proposed change there is Section H, which is entitled Immigration and Citizenship-Related Information.

[00:46:56] And that tracks the language also required by the Virginia guidelines. And it specifically says that LCPS, unless otherwise required by state and federal law, Shall not request or collect information or documentation concerning the immigration or citizenship status of a student or the student's parents and that the superintendent shall ensure that the student record systems, forms, and records management practices comply with the Virginia code section that just went into effect in July 1.

[00:47:27] Any information maintained by LCPS shall be protected, retained, and disposed of in accordance with applicable state and federal laws and established records management requirements. And then you'll see on line 127, the legal references have been updated.

[00:47:43] Board members, any questions about 8610? I don't have any questions. All right, Mr. Allen, I'll turn it to you for the next policy.

[00:48:02] Along with the student records topic, the next section is policies regarding disclosure of records. And therefore, we look to school board policy 8640, which is entitled Disclosure of Student Personally Identifiable Information and other educational records.

[00:48:22] The first proposed insertion is going to be under directory information on line 70 through 72. To insert the following language, LCPS shall not designate immigration or citizenship status, country, or origin of birth, nationality, or national origin as directory information consistent with Virginia Code section 22.1, 2.2.

[00:48:47] there is a an additional insertion actually rejection of language that currently exists on line 84 under directory information to be consistent with that new virginia code section to delete and place of birth where it says date and place of birth and so the date of birth is required to address mrs griffith's earlier inquiry that is still on requirement the next

[00:49:21] proposed insertion of language is on page seven line and it starts on line 278 this is under the disclosure of records without parental or eligible student consent section and adds language that follows disclosure of student records or personally identifiable information to law enforcement personnel including for purposes related relating to immigration enforcement shall comply with with Virginia Code Section 22.1-2.2 and 22.1-287, FERPA, which is the Family Educational Rights and Privacy Act, it's a federal law, and other applicable state and federal law.

[00:50:01] With respect to information relating to actual or perceived immigration or citizenship status, this provision does not independently authorize disclosure. Again, that tracks language under the Virginia Department of Education guidelines. And then the...

[00:50:19] The penultimate inserted language is on lines 341 through 344, which includes language as follows. An administrative immigration subpoena does not by itself constitute a judicial order authorizing disclosure of student educational records.

[00:50:40] Any such request shall be reviewed for compliance with FERPA and applicable federal and state law before records are disclosed. That is additional guidance that is provided under the Virginia Department of Education guidance that came out in August to include, for school boards to include in their policies and procedures.

[00:51:00] And the final section of proposed language for this policy is under the section I. a new section entitled immigration or citizenship status which reads disclosure of information concerning the actual or

perceived immigration or citizenship status of a student the student's parents or another person associated with the student shall be governed by virginia code section 22.1 2.2 in applicable federal and state law no lcps employee contractor agent or school resource officer shall threaten to disclose information relating to the actual or perceived

[00:51:37] Immigration or citizenship status of a student the student's parent or another person associated with the student And again, that is consistent with the Virginia Department of Education guidance came out. I'll stop there for any questions Thank you, Mr. Allen board members any questions or comments on?

[00:52:00] 8640 okay, and then we go back to the overarching Policy 1040 which is the equal opportunity for equitable safe and inclusive environment There, you may recall the school board added, I believe, earlier this year, citizenship or immigration status to 1040.

[00:52:26] So that's pre-existing in compliance with the new code section. There was a, for readability, a proposed change that isn't showing up on line five, which changed serve to serving and ensure to ensuring for parallelism.

[00:52:46] Oh, it is, sorry, it's not in what's reflected here. And then you will see on lines 52, the legal references have been updated. There's also a witch to that for grammatics.

[00:53:02] Thank you, Mr. Hallin. I will say here, there are a slew of legal requirements that do not fall squarely into pre-existing policies. You will see on the last sentence of Policy 1040, lines 40 to 41, the superintendent is authorized to develop implementing regulations and school procedures to operationalize this policy.

[00:53:34] It is my understanding that staff intends to create an accompanying regulation that would then include all the miscellaneous requirements set forth by the new Virginia Code section.

[00:53:52] specifically those pertain to judicial and non-judicial warrants there's a requirement that the policies and procedures be pretty instructive with respect to information regarding judicial and non-judicial warrants there's also a requirement for remedial or corrective action for non-compliance with the Virginia Code section to be included in policies and procedures, and finally, training requirements with respect to that. So staff anticipates

[00:54:28] creating that regulation and would be glad at the committee's direction to bring that back when this is for action for further review. But just as for clarity, the school board passes policies and the regulations are put forward by the superintendent and administration.

[00:54:49] The last piece is 80-30, policy 80-30, which is student discrimination and harassment. That, consistent with 1040 and the new Virginia Code section, adds immigration or citizenship status to the classes there that LCPS prohibits discrimination and harassment against on those bases.

[00:55:17] And then also includes the insertion of language on lines 27 through 29 that reads discrimination and harassment based on actual or perceived immigration or citizenship status shall be addressed in accordance with this policy and applicable administrative regulations implementing Virginia Code section 22.1-2.2.

[00:55:38] So, this is somewhat of an unconventional approach, but it complies with law, and just as a caveat or overarching for clarity of expectations, this committee, and then if the committee likes this

approach, the full board would not be opening up these policies more broadly for input only just for the proposed insertions or the purpose that this

[00:56:13] committee and the full board would be reviewing it if that makes sense. For the full board would it be one action item as we've had in committee? Yes that's that's an approach that this committee could propose to the board or recommend to the board that the board adopt this suite of policies or propose changes to the suite of policies in order to comply with applicable Virginia law.

[00:56:46] Thank you, and I think we can cross that bridge when we get to it, but just want to just make sure that from a procedure perspective, we can vote en masse on a policy, or maybe if we need to do it one by one, maybe I'll defer to you on when we get there, how best to approach it.

[00:57:09] Board members, any questions about policy 8030 or 1040, the last two that Mr. Allen discussed? Hearing none, are we comfortable moving this to post for public feedback and bringing it back as an action item at the next committee meeting?

[00:57:40] It is a lot of information to digest, so I appreciate that. It'll be up there for public feedback. all right with that we have finished our information items I recognize that we are getting into the last bit of the meeting and our discussion item is 6.01 policy 2520 participation by the public I recognize this discussion item might take a little bit more time than we have now so I'll just preview to my colleagues I'll plan to continue this discussion item to the next meeting but

[00:58:18] get started today and I'd like to start by having Dr. Bergen perhaps you can present the background materials that were attached to the discussion items so we can walk through those and ask any questions about those and then can revisit at the next meeting and get further discussion happy to do so chair Svensson so just for convenience we've attached the policy 2520 to the item we don't have any proposed changes to the policy that's just to help frame the

[00:58:55] conversation that is the policy as it currently sits also attached to this item just for your interest in review the VSBA put out a policy page in October of 2025 board members would have received that directly from VSBA if you subscribe to their email services I would just point out Marie thanks for opening that up but we'll stick right there on that page the third paragraph down in this policy page open meetings fair voices I'll just read from this one

[00:59:30] section of the policy page in the third paragraph it says although not required by law school boards usually permit time during the regular meetings for citizens to address the board which may include public comments made in person or by electronic communication boards may impose time place and manner restrictions on free speech provided the rules are applied consistently and do not discriminate based on a particular viewpoint or content the key principle is that rules governing public comment must be fair neutral and evenly enforced

[01:00:08] and I'll leave it for the board members to read the rest of the policy page if you've not already just to help frame the conversation around public participation by the public the last item that we uploaded for the committee's consideration and the full board's consideration on this topic is a comparison of public comment in Loudoun County Public Schools in comparison with our counterparts at the Board of Supervisors and with the other boards of education in Northern Virginia I just want to spend just a little bit of time just reviewing our current practices in comparison with others so reading from

[01:00:45] what's on the screen it's also for the public it's an item that is attached to the item board members you have it in front of you first we'll look at maximum number of speakers the reading from left to right and Loudoun County we do not have a published limit on the number of speakers neither do the board of supervisors however you can see in Fairfax they limit it to 16 people total 10 from the general public three spots reserved for students and three spots reserved for people who want to participate electronically Prince

[01:01:19] Williams County limits 30 speakers as does Arlington County and like the Board of Supervisors and our board Alexandria does not have a published limit on number of speakers moving down to total time for public comment we do not have any time limits in Loudoun County Public Schools our counterparts of the Board of Supervisors cap their meetings at 90 minutes for public comment Fairfax doesn't specify a time limit but that's because they specify only 16 individuals may speak so essentially they do have a time limit because they're capping the number of people Prince William County Arlington

[01:01:58] County Alexandria City Schools all cap public comment one hour 60 minutes reading down per time per speaker it varies in Loudoun County because we have no time limits on number of speakers for an amount of time it's at the prerogative of the board and it's changed from meeting to meeting when there's a lot of speakers it's a minute when it's a fair number it's two minutes If it's just a few, it's five minutes.

[01:02:24] For the Board of Supervisors, it's two minutes. For Fairfax County, those 16 individuals are each given two minutes. So the time limit there is 16 people times two minutes. For Prince William County, it's three minutes per speaker.

[01:02:39] If it is fewer than 20 speakers, if it's more than 20 speakers, then they reduce it to two minutes. Arlington, it's two minutes per speaker as long as it's under 30. and if there are more than 30 speakers then they somehow do a lottery to determine who is going to speak and in Alexandria they cap it at three minutes per speaker speaker selection seems to be fairly consistent across our practice with with others on a first come first served other than Fairfax because they limit it to 16 people they do a lottery to determine who those 16 people are who

[01:03:18] speak and then in Alexandria they prioritize students students come first and then you can read there's a five day five same day in-person slots the participation format is fairly consistent here with us surrounding bodies we offer both in-person and virtual as does the Board of Supervisors as does Alexandria and Arlington Fairfax rather than do live virtual they allow for recorded video I'm sorry they allow for virtual in-person and recorded

[01:03:57] video as does Prince William in person written and recorded video so we thought that might be instructive for the committee and for the board to see what our practices are in comparison with the Board of Supervisors and with other Northern Virginia school boards and you have the information on the policy page which is guidance from the VSPA to all 132 school boards in Virginia and you have the policy 25 20 at this point I'll turn it back over to you chair Spencer thank you dr. Bergen I appreciate that and in terms of these requirements and

[01:04:36] policy 25 20 are each of these requirements that we're looking at here in the chart are they spelled out in the policy and I ask because I know that the camera element which we talked about at the full board that is in our if I Correct me if I'm wrong, Mr. Allen.

[01:04:55] I believe that's in our organizing resolution, or no? Thank you, Chair Spinson. It's currently in our citizenship participation guidance, which is separate and apart from the organizational resolution, although the school board could consider addressing some of the prescription measures, how it presides over public comment in the annual organizational resolution.

[01:05:23] That is an approach the board could consider. And then just backing up, I do think, personally, this may have the topic for this discussion item. And I was not at the October 13th school board meeting, but in listening to it, I think the discussion item may have or should be properly stated or tracked the language as it was in the October 13th meeting, which was, oh, if you bear with me, cameras during public comment.

[01:06:02] That was the discussion item's title. So I think for parallelism or purposes, it would be more appropriate when this comes back on the LNP committee to have that as the topic rather than 25-20.

[01:06:18] The board could consider being as prescriptive and including that in participation by the public policy 25-20. However, as you see on the plain language of policy 2520, it doesn't have that level of specificity for any of the guidance that is offered and the participation by the public that's on LCPS, the LCPS website.

[01:06:45] Thank you. That is helpful. I appreciate that parallelism point, and we can, for the next meeting, have that updated. although I do think it's appropriate that we're discussing kind of the entirety of it 'cause I know during that conversation, folks brought up various elements of public comment, not just the cameras.

[01:07:04] So I think all of this background is really helpful and germane to what was discussed, but appreciate that for consistency, we can have that title updated. And sorry to go back for the elements here in the chart, Are these each in the guidance document that you were talking about or any of them directly in policy 2520?

[01:07:33] I think from my read of it, the policy 2520 establishes a five-minute cap per speaker.

[01:08:38] So I guess in terms of time per speaker, it does have that maximum amount, but allows the chair to determine the time based on the number of speakers in the agenda. And I see also that the amount of time for public comment is determined by the chair as well, whether at the full school board level or at the committee level.

[01:09:08] Does that track with your understanding as well? Thank you, Chair Swenson. I believe that's a fair resuscitation. In terms of distinctions between the citizen participation procedures on the LCPS website,

[01:09:31] That's where it gets into the nuts and bolts of what demonstratives or sizing of posters or demonstratives that folks bring into the boardroom and more completely speaks to parameters, time and place restrictions that are set forth as part of the public comment procedures.

[01:09:57] And what is the process for approving that guidance document? Thank you, Chair Swenson. I honestly would think that this is more the purview of administration in consultation with the Office of Safety and Security for those purposes.

[01:10:23] That is based on the parameters set forth in Policy 2520 and the direction of the school board. That's my understanding. so we could think of that as akin to a regulation that that staff is implementing

based on the requirements we set out in 2520 as a board I think that's a fair portrayal okay thank you it's very helpful to step the background in terms of if we are considering changes what changes we'd make how we would go about doing that whether it's through policy or working with staff to

[01:11:02] update the guidance um and i i know that our policy has a has a fair amount of um flexibility um and um and discretion in it um based on uh based on the policy and in comparison to the chart um and we mentioned before that the camera element is not in the policy itself but was voted on by the board um and is reflected in the guidance document um and at that um

[01:11:41] at our last board meeting where we discussed this before it was sent to committee there was some discussion about how we would Need to procedurally undo the vote on on public on camera in during public comment Could you just refresh our our recollections of how how that would go about how we would go about doing that?

[01:12:06] Thank you, Chair Swinson. I don't have my handy Robert's rolls with me. I apologize. But from memory, I believe that in order to make a motion or for a motion to rescind a prior vote of the board, that would need, with notice, it'd be a majority, would not require a two-thirds vote.

[01:12:34] So with notice, there would be a majority vote, not a two-thirds vote? That's my understanding, but I will confirm and have that information at the next meeting. Okay, thank you. Thank you. Just, I think, going through all this, just want to kind of set the table for the discussion about what's in the policy, what's in the guidance, how we go about addressing this.

[01:12:55] So with that, I know we have limited time left, but I wanted to give my colleagues, perhaps I can phrase this as, ask for particular topics that you all plan to discuss or would like to discuss at the next meeting with respect to public comment, be it about the camera specifically or otherwise.

[01:13:16] Mrs. Griffiths. Thank you, Chair Svensson. I'd just like to say that I'm the one who brought the cameras, the subject, to the dais. And I would like to say that I in no way want to limit any time on any of the speakers.

[01:13:37] This was about specifically the cameras and that the cameras were not in a previous policy. The cameras were taken away in 2021, I don't know the situation there, it was the previous board, and then I brought it to the board in 2024, and a vote had taken place, and the board decided no cameras on the speakers during public comment.

[01:14:08] So that is my concern, that speakers come to be seen and heard. So I'm willing to, I'm looking to negotiate how we would do that. I am going to stay away from limiting any comment or speakers or anything like that.

[01:14:29] I'm looking for, personally, for me, I'm looking for comparisons on cameras with all the districts in the area. and i did not see that on board docs um it's not currently on board docs but we do know that the board of supervisors has cameras on their speakers there's really no reason not to have cameras on the speakers now how we do that can be negotiated we can take a look at that but again um i'm not looking to limit any time or any speakers or anything like that this is strictly

[01:15:05] about the cameras I know we're on limited time and I'm hoping mr. Smith can come back to the next meeting because this also gets into other areas as far as our committee meetings being televised or audio so I don't know if we're gonna get in that to that today but I would like to discuss that as well for

the public as to why our committee meetings are not televised or if we cannot televise them why they're not available live on audio so those are the

[01:15:42] issues that I'm concerned about for the public and transparency so that's where I stand on the cameras and the the speakers and then I'm hoping to work with mr. Smith further on any further IT things we can implement for committee meetings. But that's where I am today. And I'll leave it there. Thank you. Thank you, Mrs. Griffiths.

[01:16:10] Dr. Rashid? Yes. Can you hear me? Yes. If you have anything that you plan to discuss or would like to discuss at the next meeting, or if you have any questions on these background materials. Mine is more about, I guess, the camera. I think I said it during the retreat. I'm okay with having the cameras being placed on school board members and speakers um i'm only i just don't know how that would work for i think students that come forward because they're minors or the kids that come forward so i don't know what we did in the past so that's my only that's one of my concerns

[01:16:49] if the camera goes back on the public commenters how do we handle the minors and the students and then the other thing was i'm not sure i think it was mentioned um forgot which uh public school or one of the supervisors about having no repeat speakers to come consecutively at school board meetings. And the reason why I say that is because I want to give other people a chance to speak rather than all the public commenters coming out, which I have no issues with. But I think that when a speaker comes out, they speak their mind. I think that the following week or

[01:17:27] the next time the meeting comes together, I don't think that same speaker should speak again because you know i just think there should be some rule like some limit in that sense just because i want other people in the community to have a chance and then the other thing was perhaps having like a i don't know and i'm just throwing it out there like 25 speakers or 30 speakers i forgot which public school and i think it was mentioned today that they have like a little bit of a cap like 25 or 30 or something and i'm not sure with the law with the bylaws if it says anything in policy about how many speakers total and how many minutes does that

[01:18:06] delineate to. So I wasn't sure. I know there's a rule. I know there's a policy about it. So yeah, so overall, I'm okay with having the cameras on, school board members and public commenters. I just like to be mindful of the youth that are out there, the minors. And then And I would like no repeat speakers consecutively because that will limit the community.

[01:18:31] And then the other thing was for, I believe, having a cap on it, like 25 speakers. Because I do believe in the school board meetings, getting things done and bringing things to fruition. I just worry about if there's so much public comment, which is great.

[01:18:48] I love that there's participation from the community. But what if there's so much and it's overwhelmingly to the point where now we can't get our items done and then that limits our students from, you know, getting progress? So that's my point of view. Thank you. Thank you, Dr. Rasheed.

[01:19:07] Yes, one moment, Ms. Griffiths. I wanted to ask a couple follow-up questions based on things my colleagues mentioned. In terms of cameras and the change that was made, the cameras were never in policy, correct?

[01:19:23] that was always part of guidance. - Thank you, Chair Swenson. What I can confirm is that prior to March 12th of 2024, when the school board made its vote that cameras be turned off for public and put

the slide in place, that that was not amending anything in policy.

[01:19:56] - Thank you, that's helpful. And then for the next meeting, If we could have just a background on prior practice with respect to students and how we dealt with having them on camera, I don't know if they signed a waiver or if the camera was removed, that would be helpful for next time just to have an understanding of how that was done in the past.

[01:20:18] It might also be helpful to understand for neighboring jurisdictions that do use cameras, if the camera is on the speaker or if it's more the eagle eye and it's the whole room that the camera's capturing during during speaking I think that would be helpful to understand because there are different ways of doing it and finally I just wanted to ask a clarifying

[01:20:44] question in the existing policy 2520 I see section B2 it says oh yes it says the beginning of that speakers at public hearing shall limit their comments to the matter that is the subject of such public hearing and i was wondering how we've interpreted that because i know we have heard from speakers about um certainly about topics that are not items

[01:21:22] on our agenda and i just wanted to understand a little bit about um that particular language and and how we understand that um just for background but i think that's something we can answer at the at the next meeting um wouldn't we get this um discussion item teed up again yes and in response uh just for clarification the attachments in this item today are wholly repeated from the board's retreat on september 15th when this was a topic it was a topic at a previous retreat if i recall

[01:21:58] but for the next meeting i've heard both your points we'll go back to these same school divisions and we'll ask our cameras on or not how are the cameras operated and I am familiar in other school divisions where they limit public comment to posted agenda items and then they may have a separate public comment for non agenda items but I'll sweep through all of these same entities on each of these points and report back to the committee at our next meeting thank you that's helpful I appreciate it so with that will if don't know mr. Allen if this

[01:22:34] requires a vote i think we can just by consensus move this discussion item to the next committee meeting are my colleagues comfortable with that yes great all right um with that i will ask if there's any new business i don't have any no new business um i will adjourn um tonight's um legislative and policy committee meeting i'll see you at the next meeting thank you thank you



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