

1 **Project 8051**

2 **State Board of Education**

3 **Chapter 290 Amendments Resulting from Periodic Review 2024**

4 Chapter 290

5 Regulations Governing School Lunch Sale of Food Items (REPEALED)

6 **8VAC20-290-10. ~~Sale of food items. (Repealed.)~~**

7 ~~The sale of food items in school during the lunch period shall be limited to those items~~
8 ~~recognized as being components of the school lunch program's Type A lunch and breakfast; the~~
9 ~~income from the sale of those items shall accrue to the school lunch account.~~

10 ~~The following provisions shall apply in implementing this chapter:~~

- 11 ~~1. "Food items" covers both food and drink.~~
- 12 ~~2. "Lunch period" is the time from the beginning of the first lunch period through the end~~
13 ~~of the last lunch period.~~
- 14 ~~3. This chapter does not prohibit the sale of a la carte items. It does limit the a la carte~~
15 ~~items to those which can be served as part of the Type A lunch and breakfast such as~~
16 ~~sandwiches, soup, salads, fruit, fruit juice, desserts, and chocolate milk. A review of the~~
17 ~~past Type A menus will provide guidance for a la carte items.~~
- 18 ~~4. All income from sale of food items during the lunch period in the lunchroom or other~~
19 ~~locations in the building shall accrue to the school lunch account.~~
- 20 ~~5. It is strongly recommended that food items sold in high school at times other than the~~
21 ~~lunch period be of recognized nutritional value and in keeping with federal requirements.~~

1 **Project 8100**

2 **State Board of Education**

3 **Chapter 320 Agency 20 Result of Periodic Review: 2527**

4 Chapter 320

5 Regulations Governing Physical and Health Education (REPEALED)

6 **~~8VAC20-320-10. Health education program. (Repealed.)~~**

7 ~~Elementary and secondary schools shall present a comprehensive health education~~
8 ~~program which focuses on instruction related to alcohol and drug abuse, smoking and health,~~
9 ~~personal growth and personal health, nutrition, prevention and control of disease, physical~~
10 ~~fitness, accident prevention, personal and family survival, environmental health, mental health,~~
11 ~~and consumer education. These shall be developed in accordance with procedures outlined in~~
12 ~~the Curriculum Guide for Health Education.~~

1 **Project 8101**

2 **State Board of Education**

3 **Chapter 730 Agency 20 Result of Periodic Review: 2521**

4 **8VAC20-720-10. Definitions.**

5 The following word or term when used in this chapter shall have the following meaning
6 unless the context clearly indicates otherwise:

7 "Excused absence" means an absence of an entire assigned instructional school day with a
8 reason acceptable to the school administration that is provided by the parent. If circumstances
9 permit, the parent should provide the school administration with the reason for the
10 nonattendance prior to the absence. Examples of an excused absence may include, but are not
11 limited to, the following reasons: funeral, illness (including mental health and substance abuse
12 illnesses), injury, legal obligations, medical procedures, suspensions, religious observances,
13 and military obligation. Suspended students continue to remain under the provisions of
14 compulsory school attendance as described in § 22.1-254 of the Code of Virginia. An absence
15 from school attendance resulting from a suspension shall be recorded in compliance with this
16 section for the period of the suspension.

17 "Instructional school day" means the length of a regularly scheduled school day for an
18 individual student.

19 "Textbooks" means print or electronic media for students use that serve as the primary
20 curriculum basis for grade-level subject or course.

21 "Truancy" means the act of accruing one or more unexcused absences.

22 "Unexcused absence" means an absence where (i) the student misses his scheduled
23 instructional school day in its entirety and (ii) no indication has been received by school
24 personnel within five days of the absence that the student's parent is aware and supports the
25 absence, or the parent provides a reason for the absence that is unacceptable to the school
26 administration. The school administration may change an unexcused absence to an excused
27 absence when it determines that the parent has provided an acceptable reason meeting criteria
28 for the student's absence or there are extenuating circumstances.

29 **8VAC20-720-20. Data collection and reporting.**

30 Data collection shall begin on the first day students attend for the school year. Each school
31 division shall provide student level attendance data for each student that includes the number of
32 unexcused absences in a manner prescribed by the Virginia Department of Education. A
33 student's attendance is cumulative and begins on the first official day of the school year or the
34 first day the student is officially enrolled. All nonattendance days are cumulative and begin with
35 the first absence. For purposes of this data collection, truancy shall start with the first unexcused
36 absence and will be cumulative. Data shall be reported to the Virginia Department of Education
37 pursuant to § 22.1-258 of the Code of Virginia.

38 **Chapter 730**

39 Regulations Governing the Collection and Reporting of Truancy-Related Data and Student
40 Attendance Policies (REPEALED)

41 **8VAC20-730-10. Definitions. (Repealed.)**

42 ~~The following words and terms when used in this chapter shall have the following meanings~~
43 ~~unless the context clearly indicates otherwise:~~

44 "Attendance conference" means a face-to-face meeting, or an interaction that is conducted
45 through the use of communication technology, scheduled with the student, parent, and school
46 personnel after the seventh unexcused absence. The attendance conference shall be held no
47 later than 10 school days after the 10th unexcused absence. The attendance conference is held
48 by a multi-disciplinary team and may include the parents and student.

49 "Attendance plan" means a plan developed jointly by a school representative, such as a
50 school principal or the principal's designee; parent; and student to resolve the student's
51 nonattendance and engage the student in regular school attendance. The plan shall identify
52 reasons for nonattendance and academic, social, emotional, and familial barriers that impede
53 daily attendance along with positive strategies to address such reasons and impediments and
54 support regular attendance. This plan may include school-based activities or suggested referrals
55 to community supports, or both.

56 "Court referral" means filing a complaint with the Juvenile and Domestic Relations Court
57 after the multi-disciplinary team has held an attendance conference and attempted interventions
58 to address the student's continued nonattendance. Documentation of interventions regarding
59 the student's unexcused absences, such as copies of the attendance plan and documentation
60 of conference meetings, and compliance with § 22.1-258 of the Code of Virginia will be provided
61 to the intake worker.

62 "Excused absence" means an absence of an entire assigned instructional school day with a
63 reason acceptable to the school administration that is provided by the parent. If circumstances
64 permit, the parent should provide the school administration with the reason for the
65 nonattendance prior to the absence. Examples of an excused absence may include, but are not
66 limited to, the following reasons: funeral, illness (including mental health and substance abuse
67 illnesses), injury, legal obligations, medical procedures, suspensions, religious observances,
68 and military obligation. Suspended students continue to remain under the provisions of
69 compulsory school attendance as described in § 22.1-254 of the Code of Virginia. An absence
70 from school attendance resulting from a suspension shall be recorded in compliance with
71 8VAC20-730-30 for the period of the suspension.

72 "Instructional school day" means the length of a regularly scheduled school day for an
73 individual student.

74 "Multi-disciplinary team" means a conference team that may be convened to review student
75 records and to participate in prevention, early intervention, and provision of support services to
76 address unexcused absences, including school-based case management. These services
77 should address academic, social, emotional, and familial issues in order to improve regular
78 school attendance. Team members may include but are not limited to, the following: an
79 administrator, school counselor, social worker or psychologist, student assistance specialist,
80 special education and general education teacher, attendance officer, and community
81 representatives.

82 "Parent" means the parent or parents, guardian or guardians, legal custodian or legal
83 custodians, or other person or persons having legal control or charge of the student.

84 "Truancy" means the act of accruing one or more unexcused absences.

85 "Unexcused absence" means an absence where (i) the student misses his scheduled
86 instructional school day in its entirety and (ii) no indication has been received by school
87 personnel within five days of the absence that the student's parent is aware and supports the
88 absence, or the parent provides a reason for the absence that is unacceptable to the school
89 administration. The school administration may change an unexcused absence to an excused
90 absence when it determines that the parent has provided an acceptable reason meeting criteria
91 for the student's absence or there are extenuating circumstances.

92 **8VAC20-730-20. Unexcused absences intervention process and responsibilities.**
93 **(Repealed.)**

94 A. Each local school board shall provide guidance regarding what would constitute an
95 excused absence in order to address when the explanation provided by the parent will be
96 determined to be reasonable and acceptable.

97 B. Each local school board shall develop procedures to ensure that appropriate
98 interventions will be implemented when a student engages in a pattern of absences less than a
99 full day, the explanation for which, if it were a full day absence, would not be deemed an
100 excused absence.

101 C. The following intervention steps shall be implemented to respond to unexcused absences
102 from school and to engage students in regular school attendance.

103 1. Whenever a student fails to report to school on a regularly scheduled school day and
104 no information has been received by school personnel that the student's parent is aware
105 of and supports the absence, or the parent provides a reason for the absence that is
106 unacceptable to the school administration, the school principal or designee, attendance
107 officer, or other school personnel or volunteer will notify the parent by phone or email or
108 any other electronic means to obtain an explanation. The school staff shall record the
109 student's absence for each day as "excused" or "unexcused." Early intervention with the
110 student and parent or parents shall take place for repeated unexcused absences.

111 2. When a student has received five unexcused absences, the school principal or
112 designee shall make a reasonable effort to ensure that direct contact is made with the
113 parent. The parent shall be contacted in a face-to-face conference, by telephone, or
114 through the use of other communication devices. During the direct contact with the
115 parent and the student (if appropriate), reasons for nonattendance shall be documented
116 and the consequences of nonattendance explained. An attendance plan shall be made
117 with the student and parent or parents to resolve the nonattendance issues. The student
118 and parent may be referred to a school-based multi-disciplinary team for assistance
119 implementing the attendance plan and case management.

120 3. When the student accrues a seventh unexcused absence, the school principal or
121 principal's designee shall schedule a face-to-face attendance conference, or an
122 interaction that is conducted through the use of communication technology. The
123 attendance conference must be held within 10 school days from the date of the 10th
124 unexcused absence. The principal or principal's designee shall make reasonable efforts
125 to contact the student's parent or parents to attend the attendance conference either in
126 person or via communication technology. If the principal or principal's designee, after
127 reasonable efforts have been made, is unable to contact the student's parent, the
128 conference shall be held regardless of whether the student's parent approves of the
129 conference. The conference shall include the principal or principal's designee and a
130 representative from the multi-disciplinary team.

131 4. The multi-disciplinary team shall monitor the student's attendance and, as necessary,
132 meet again to address concerns and plan additional interventions if the student's
133 attendance does not improve. If additional meetings are necessary, the principal or
134 principal's designee shall make reasonable efforts to contact the student's parent or
135 parents and schedule a face-to-face meeting, or an interaction that is conducted through
136 the use of communication technology. If the principal or principal's designee, after
137 reasonable efforts have been made, is unable to contact the student's parent, the
138 conference shall be held regardless of whether the student's parent approves of the
139 conference.

140 ~~5. In circumstances in which the parent is intentionally noncompliant with compulsory~~
141 ~~attendance requirements or the student is resisting parental efforts to comply with~~
142 ~~compulsory attendance requirements, the school principal or principal's designee shall~~
143 ~~make a referral to the attendance officer. The attendance officer shall schedule a~~
144 ~~conference with the student and the student's parent or parents within 10 days of~~
145 ~~receiving the referral. The attendance officer may (i) file a complaint with the juvenile and~~
146 ~~domestic relations district court alleging the student is a child in need of supervision as~~
147 ~~defined in § 16.1-228 of the Code of Virginia or (ii) institute proceedings against the~~
148 ~~parent pursuant to § 18.2-371 or 22.1-262 of the Code of Virginia. In addition to written~~
149 ~~documentation of the efforts to comply with the notice provisions of § 22.1-258 of the~~
150 ~~Code of Virginia, all records of intervention regarding the student's unexcused absences,~~
151 ~~such as copies of the conference meeting notes, attendance plan, and description of the~~
152 ~~supports offered or made available to the student shall be presented to the intake~~
153 ~~worker.~~

154 ~~D. A record shall be maintained of each meeting that includes the attendance plan, the~~
155 ~~name of individuals in attendance at each conference meeting (including via telephone or~~
156 ~~electronic devices), the location and date of the conference, a summary of what occurred, and~~
157 ~~follow-up steps.~~

158 **~~8VAC20-730-30. Data collection and reporting. (Repealed.)~~**

159 ~~Data collection shall begin on the first day students attend for the school year. Each school~~
160 ~~division shall provide student level attendance data for each student that includes the number of~~
161 ~~unexcused absences in a manner prescribed by the Virginia Department of Education. A~~
162 ~~student's attendance is cumulative and begins on the first official day of the school year or the~~
163 ~~first day the student is officially enrolled. All nonattendance days are cumulative and begin with~~
164 ~~the first absence. For purposes of this data collection, truancy shall start with the first unexcused~~
165 ~~absence and will be cumulative. Data shall be reported to the Virginia Department of Education~~
166 ~~pursuant to § 22.1-258 of the Code of Virginia and 8VAC20-730-20.~~