

POLICY REVIEW COMMITTEE MEETING MINUTES

Curtis R. Milteer Sr. Recreational Center
Conference Room
132 Robertson Street, Suffolk, VA 23438
November 27, 2023

Present:

Members

- ✓ Dr. Judith Brooks-Buck, **School Board Member**
- ✓ Mrs. Karen Jenkins, **School Board Member**
- ✓ Mrs. Kimberly Slingluff, **School Board Member**

Participants

- ✓ Dr. John B. Gordon III, **School Superintendent**
- ✓ Wendell M. Waller, Esq. **School Board Attorney**
- ✓ Renee Davenport, **Legal Administrative Assistant**

Attendees

- ✓ Members of the public

➤ Meeting called to order.

- Dr. Judith Brooks-Buck called the meeting to order.
- The approval of the minutes will be postponed until the next meeting since neither Ms. Jenkins or Ms. Slingluff were present at the meeting in October.

➤ Unfinished Business

• Section 1-5.9 Filing a Formal Complaint of Discrimination

The Board asked the committee to review this policy again. Their concern was that the employee did not have sufficient time to file a complaint and there was nothing in the policy to indicate that people would get a certified letter. The committee revisited the deadlines for filing a complaint and reviewing a complaint. The complainant time to file was extended to 45 calendar days after the offense and the investigation could be extended an additional 60 calendar days. The committee also agreed to have notifications sent by Fed Express Next Day Air. Policy changes will be submitted as a first reading and adoption.

➤ New Business

Section 2-2.7:3 Committee authority.

- Attorney Waller stated that this policy originally had language that all meetings of committees of the school board would be conducted in accordance with the Robert's Rules of Order. The revision that is being recommended will say that all meetings including the meetings of the school board will be conducted in accordance with informal rules adopted by the school board. None of the formal "Robert's Rules" are applicable to the meetings of the school board or any committees of the school board unless the formal rule requirements are referenced. In that there are less than 12 members serving on the School Board, Attorney Waller stated that there can be some loosening of Robert's Rules.

Section 2-2.7.3:1 Rules of Order for Meetings

- This policy sets forth rules that will govern all meetings of the school board and committees. The committee discussed correcting some of the wording of the informal rules such as the roll call vote of “all in favor, all opposed”, comments on decisions on votes of the board, full and free speech, etc. The committee agreed to move the policy on to the school Board.

Section 7-6.2 Definitions

- This suggested policy revision deletes the definition of “tobacco” and inserts a new definition for tobacco that does not include any nicotine vapor product, alternative nicotine product, or product that is regulated by the FDA. Virginia Code Section 22.1-79.5 requires each local school board to develop and implement a policy that prohibits distribution of tobacco or nicotine product as defined in Virginia Code Section 18.2-371.2. This code section exempts an alternative nicotine product that is regulated by the FDA. The committee agreed to bring this policy to the full Board for the first reading.

Section 7-6.3 Exceptions

- This suggested policy revision removes from Board Policy the granting of any exemption for allowing tobacco products on school property. The committee agreed to bring this policy to the full Board for the first reading.

Section 7-14.1 Licensure Requirements

- This suggested policy revision will only allow for the granting of a one-year extension of a provisional teacher’s license for teachers that were employed and had their performance evaluated during the original three-year probationary period. This change in policy is required by Virginia Code Section 22.1-299(2). The committee agreed to bring this policy to the full Board for the first reading.

Section 7-20.2 Certification Required

- This suggested policy revision will require any person who applies for a position with Suffolk Public Schools to certify that they have not been convicted of a crime that involves the solicitation of a minor for sexual assault, obscenity, drugs or physical abuse or neglect. This change in policy is required by Virginia Code Section 22.1-296.1(B). The committee agreed to bring this policy to the full Board for the first reading.

Section 7-20.3 Search of Registry Required

- This suggested policy revision will require an applicant who seeks employment with Suffolk Public Schools and was previously employed in another state within the last five years to provide written consent to allow Suffolk Public Schools to obtain information from the out of state employer that the applicant was not subject to a founded case of abuse and neglect in that state. If the applicant was subject to a founded case, the applicant can be denied employment. This change in policy is required by Virginia Code Section 22.1-296.4. The committee agreed to bring this policy to the full Board for the first reading.

Section 7-20.4 Notice of Arrest

- This suggested policy revision will require an individual who has been placed on probation by the court to have the probation treated as a conviction and a finding of guilt. This change in policy is required by Virginia Code Section 22.1-315(F). Attorney Waller elaborated that sometimes a judge will withhold the evidence and place the person on probation. If they have good behavior for a period of time, the charge may be dismissed. This will allow the school division to treat that as a finding of guilt and take whatever action the school division deems appropriate. The committee agreed to bring this policy to the full Board for the first reading.

Section 7-21.2 Principal to Secure Substitute

- This suggested policy revision will increase the number of days that a substitute teacher can be employed to fill a classroom vacancy. For the 2023-2024 and 2024-2025 school years, the substitute can be employed for up to 180 days during the school year. Also, the requirement that the substitute possess good moral character and attend an orientation regarding school policies and procedures will no longer be required. This is allowed by HB 2457 passed and signed by the Governor on March 3, 2023. This is not required but can be incorporated. Right now, a substitute can only be employed to fill a classroom vacancy for up to 90 days. The committee agreed to bring this policy to the full Board for the first reading. Discussion arose about the “good character” clause that came down from VSBA. It was pointed out that this “good cause” can be subjective. Because of the need for people in the classroom, the Committee agreed to delete the “good character” part and they would want them to participate in orientation. Policy will be modified and moved on to the full Board for first reading. The committee agreed to bring this policy to the full Board for the first reading.

Section 7-26.3 Professional Staff Development

- This suggested policy revision will require high quality professional training in science-based reading research from the list of resources developed by the VDOE. Also, unless the School Board or superintendent determines that additional training is necessary to comply with federal or state law or to remediate misconduct, no elementary or secondary teacher will be required to participate more than once a year in training regarding management of student conduct and best practices to avoid violating secure mandatory test procedures. This change in policy is required by Virginia Code Section 22.1-298.8. and Section 22.1-253.13:5. E.2. The committee agreed to bring this policy to the full Board for the first reading.

Section 8-17.1 Homebound Instruction

- This suggested policy revision will allow certification from an advanced practice registered nurse that the student needs homebound instruction. Virginia Code Section 54.1-2957.02 allows for certifications by an advanced practice registered nurse. No questions or concerns arose. The committee agreed to bring this policy to the full Board for the first reading.

Section 8-17.3 Online Courses Allowed

- This suggested policy revision will allow the School Board to enter into contracts with private or nonprofit organizations to provide online courses and virtual programs. Any student enrolled in an online course or virtual program must be enrolled in

Suffolk Public Schools. Teachers who deliver instruction to students through online courses or virtual programs must be licensed by VDOE, and the course or program administrator must hold an advanced degree from a regionally accredited institution of higher education. This policy revision is allowed by Virginia Code Sections 22.1-212.24, 22.1-212.26 and 22.1-212.27. This is a VSBA recommended change. Discussion ensued by the committee regarding: (1) the success rate for the on-line classes and the improved rate since COVID; and (2) oversight of the online companies with VDOE, programs, financing involved, etc. The committee agreed to bring this policy to the full Board for the first reading.

Section 8-17.4 Definitions

- This suggested policy revision sets forth definitions for a multi-division online provider, online course, and virtual program. This policy revision is allowed by Virginia Code 22.1-212.23. The committee agreed to bring this policy to the full Board for the first reading.

Section 8-18.6 Agreement for Postsecondary Degree

- This suggested policy revision will allow students participating in courses offered by an institution of higher education to exceed the full course load to participate in courses that will lead to a degree, certificate, or credential. This is provided for by Virginia Code Section 22.1-253.13:4 D.17. The committee agreed to bring this policy to the full Board for the first reading.

Section 8-37.1 Standardized Testing Permitted

- This suggested policy revision will allow teachers, parents, principals, and other school leaders access to their student's results on SOL's or Virginia Alternative Assessments as soon as practicable after the assessment is administered. This policy change is required by Virginia Code Section 22.1-253.13:3 F. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-5.1 Ages of Children Require to Attend

- This suggested policy revision provides that compulsory school attendance will not apply to any person 16 through 18 housed in an adult correctional facility when that person is pursuing a passing score on a high school equivalency examination and does not have an IEP or has achieved a passing score on a high school equivalency examination approved by the Board of Education. This policy change is required by Virginia Code Section 22.1-254.A. The Committee began discussing the number of students currently incarcerated that may be considered drop outs. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-5.2 Mandatory and Discretionary Release

- This suggested policy revision will require the superintendent to provide notice to the parent of any student when the student is being required to attend an alternative education program. The parent must be notified (1) that the student will be required to attend an alternative program; (2) that the parent can request a hearing before the superintendent or designee; (3) that the decision of the superintendent or designee is final unless altered by the school board; and (4) that the student or student's parent can request review of the record by the School Board; and (5) that any petition for review must be filed within five (5) school days. Also, in subsection I, the attendance

officer or superintendent's designee will review reports submitted by building principals with reports from the State Registrar of Vital Records and Health Statistics of children who are not enrolled in any school and are not exempt from school attendance. The attendance officer or superintendent's designee investigates and notifies the parent of the child that school attendance is required. This policy revision is required by Virginia Code Section 22.1-261 and 22.1-277.2:1.B. The committee discussed the process of the five (5) day notification and that notice to the parent be by Fed Ex so there is a record of receipt. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-7.1 School Admission

- This suggested policy revision includes several grammatical revisions. In subsection A.6 inserted language that when any portion of the building in which the person resides is taxed by the locality the person is deemed to reside within the school division. Also, when a student is denied readmission to school after having been suspended or expelled from school, the decision of the superintendent is final unless altered by the School Board upon written petition within 15 days of the decision to exclude the student. Under subsection H, children of federal employees (i.e. members of the military) who receive orders to relocate are allowed to attend school in the school division if documentation is provided within 120 days of the student's enrollment of a permanent address within the school division. Also, in subsection J, a definition for children of federal employees is provided. This change in policy is permitted by Virginia Code Section 22.1-3.A.6, Section 22.1-3.B.3 and Section 22.1-277.2.B. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-7.3:1 Enrollment of Homeless Student

- This change in policy includes grammatical/non-substantive changes. Committee gave approval to change without having to go the full board.

Section 9-7.3:2 Comparable Services

- This change in policy includes a definition for "homeless student." This definition is taken from the federal statute found at 42 U.S.C. Section 11302 (b). The committee agreed to bring this policy to the full Board for the first reading.

Section 9-11.2 Parental Responsibilities

- This change in policy includes grammatical/non-substantive changes. Committee gave approval to change without having to go the full board.

Section 9-11.3 Prohibited Conduct

- This change in policy requires parent notification of an alleged incident of bullying within 24 hours of learning of the allegation of bullying. The committee discussed the level of punishment and the restorative practices used and the use of a discipline matrix. This change in policy is required by Virginia Code Section 22.1-279.6.D. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-12.2 Weapons and Children with Disability

- This change in policy includes grammatical/non-substantive changes. Committee gave approval to change without having to go the full board.

Section 9-14.2 Possession of Controlled Substance

- This suggested policy revision prohibits possession of marijuana on school property. In subsection C any student who has been found to have been in violation of this policy can be required to undergo evaluation for drug or alcohol if recommended by an evaluator and with the consent of the student's parent. The committee discussed that there is a difference in being under the influence and being in possession of marijuana. This change in policy is permitted by Virginia Code Section 18.2-255.2 and Section 22.1-277.08. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-18.1 Definitions

- This suggested policy revision includes a definition for disruptive behavior. It also includes language that the superintendent is responsible for creating procedures to ensure that suspended students are able to access and complete graded work during and after a school suspension. This change in policy is required by Virginia Code Section 22.1-276.01.A and Section 22.1-277.05.B. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-18.4 Suspension of Disabled Students

- This policy revision includes grammatical/non-substantive changes. Committee gave approval to change without having to go the full board.

Section 9-20.6 Physical Examination Requirement

- This suggested policy revision requires that any child admitted for the first time must provide a report of a comprehensive physical examination as prescribed by the State Department of Health from a qualified licensed physician, or a licensed nurse practitioner or licensed physician assistant acting under the supervision of licensed physician. The report must be within 12 months prior to entering school for the first time or if the student attended a prior school, a report from the prior school admission. Any such report can be reviewed by any employee or official of the State Department of Health or any local health department. This change in policy is required by Virginia Code Section 22.1-270.A. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-20.7 Student Immunizations

- This suggested policy revision allows for a certificate of immunization from an advanced practice registered nurse. This change in policy is permitted by Virginia Code Section 54.1-2957.02. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-20.7:1 Homeless Pupils

- This suggested policy revision will allow a homeless student not able to satisfy the physical examination requirement to enroll in Suffolk Public Schools by providing a signed affidavit indicating to the best of the person's knowledge, the person is in good health and free of any communicable or contagious disease. Suffolk Public Schools' homeless liaison will as soon as practicable arrange for the necessary physical examination by the local health department. This change in policy is required by Virginia Code Section 22.1-271.2 C. The committee agreed to bring this

policy to the full Board for the first reading.

Section 9-20.8 Immunization Record

- This suggested policy revision will require any student entering school to complete a health information form and forms must be returned within 15 days of receipt unless an extension has been granted by the superintendent. Failure to complete the required form within the required period, will result in the child being excluded from school attendance. This change in policy is permitted by Virginia Code Section 22.1-271.2 C. The committee agreed to bring this policy to the full Board for the first reading.

Section 9-20.9 Communicable Diseases

- This suggested policy revision will allow the school superintendent to permit an employee to return to work after having a communicable disease upon consultation with an advanced practice registered nurse. This change in policy is permitted by Virginia Code Section 54.1-2957.02. and Virginia Code Section 22.1-272. The committee gave approval to change without going to the full Board.

Section 9-20.11:1 Prescription Medications

- This suggested policy revision will allow schools to stock albuterol inhalers and valved holding chambers. Employees of Suffolk Public School trained in the administration of albuterol inhalers and valved holding chambers will be allowed to administer medication to any student believed in good faith to be in need. This change in policy is required by Virginia Code Section 22.1-274.2 D. The committee agreed to bring this policy to the full Board for the first reading.

Section 10-3.3 Request Procedures

- This suggested policy revision amends the School Board's policy regarding the Virginia Freedom of Information Act. It clarifies that the five-day response period for public records does not include weekends and holidays and day one is the day after the request is received. The requestor does not have to state why they want the records and Suffolk Public Schools will respond to the public record request by indicating one of the responses set forth in the VFOIA. Also, the revised policy indicates when Suffolk Public Schools may request additional time to respond to a public record request and that Suffolk Public Schools may also assess reasonable charges not to exceed its actual cost in providing the requested records. If the requestor owes from a previous request that remains unpaid after more than 30 days, Suffolk Public Schools may require payment of the past due bill before responding to a new VFOIA request. All policy changes are provided for under the Virginia Freedom of Information Act at Virginia Code Section 2.2-3700. Discussion ensued regarding the overwhelming costs and time involved in completing FOIA requests. The committee agreed to bring this policy to the full Board for the first reading.

Section 10-3.5 Virginia Freedom of Information Act

- This suggested policy revision also amends the School Board's policy regarding the Virginia Freedom of Information Act. It clarifies that Suffolk Public Schools is not required to create a record that does not exist. This is provided for under the Virginia Freedom of Information Act found at Virginia Code Section 2.2-3704.D. The committee agreed to bring this policy to the full Board for the first reading.

Section 10-6.1 Minimal Intrusions

- This suggested policy revision pertains to distribution of materials from nonprofit community organizations. Materials from nonprofit community organizations approved for distribution must clearly indicate that the materials are not sponsored or endorsed by the Suffolk City School Board. This policy revision is allowed by Virginia Code Section 22.1-78. The committee agreed to bring this policy to the full Board for the first reading.

Section 10-15.1 Statement of Policy

- This suggested policy revision pertains to corporate sponsorships. It allows the School Board to enter into commercial, promotional and corporate sponsorships under certain conditions. Principals may enter into partnerships that do not extend beyond a school year or exceed \$5,000. The superintendent may enter into partnerships that will benefit more than one school, extend beyond a school year, and in excess of \$5,000. The School Board may also create a Sponsorship Review Committee to approve sponsorships. Any sponsorship must be in writing and include terms and conditions set forth in the policy. This policy is required by Virginia Code Section 22.1-89.4 with language proposed by the VSBA. The committee agreed to bring this policy to the full Board for the first reading.

5. Business by Committee Members

6. Adjournment

- Meeting was adjourned.